CITY OF OGLETHORPE

OGLETHORPE CITY HALL

115 CHATHAM STREET

COUNCIL WORK SESSION MINUTES

FEBRUARY 23, 2023 – 6:00PM

Council in Attendance: Mayor Hill, CM Cross, CM Harrison, CM Coogle, CM Mahone

Council not in Attendance: CM Daniels

Call to order: Mayor Hill 6:00PM

Department Head Reports

1. City Clerk, Melissa Jones – report emailed to council 02/27/2023
2. Police Dept – Cindy Kleckley will send her report - Interim Chief Finch – updates: I am very impressed with Officer Whitehead; he’s doing a great job. I got him scheduled next month to go to radar school to get trained. Every cop has to go to get certified. I’ve already sent Ms. Cindy and Ms. Melissa an email about the cadet we currently have in school. He had a hard time, but the instructor said he was doing real good. When somebody gets frustrated, things start going down hill and then things don’t get back up. It becomes more mental than ability. I guess the pressure got to him. CM Cross – So between now and when he goes back, can you spend some time with him on firearms before he goes back? Chief Finch – yes. He’s a good candidate. For those of you have been asking me about \_\_\_\_\_\_\_\_\_\_\_\_ I cosigned a letter for Sanford Bishop and we got $367K that went to the Lighthouse down in Americus that helps child abuse victims even in Oglethorpe. CM Harrison – On average, how many referrals do we make to the Lighthouse per year? Chief Finch – between us and Montezuma about 5-6 per month. Matter of fact, the shooting incident on Asbury – we took the little 4 year old down there for a forensic interview and she told it all even though she was told not to. Mr. George made complaint someone stole checks from him. Nothing cashed in Oglethorpe or Montezuma. Some were cashed at Wright’s Grocery and that’s in the county. We tried to get the Sheriff’s Dept to do it. Since he’s a resident of the city, we are going to work the case. The case has been solved. The one that stole the checks lives in Montezuma and works for him. Some of the major things I see going on over here is that there is a lot of shop lifting going on over here. CM Cross – I mean they close the regular register and just the self check out for customers. You couldn’t see an employee anywhere. Finally, I saw the light was off in the office and I heard somebody coughing so I yelled “Hey, can you come out here? The machine won’t work.” She then got up and come out there. First yes people shouldn’t steal, but you have to do something to entice them not to. Chief Finch – it’s been quiet over here for the most part. The only big case we had was last weekend 2 females got into it at the liquor store. Said they were going to fight behind it and one of them ran over the other with a vehicle. They both ended up in jail. CM Cross – What about the drone? Chief Finch – What drone? CM Cross – The one that hit the water tower over here. Chief Finch – There was a drone out there, but we have it in evidence and we going to let corrections pull the information to see what we can find out. Basically, people are flying the drones to the prison to drop the drugs. We seized a commercial drone that could carry up to 50lbs. That particular card on that drone had 18 cell phones and 20 cards (paypal, etc). We have a system where we scan these cards and if they have money on them, we send it to ya’lls fine and forfeiture account. Then make them tell my how they got money. We did a house last Friday and there were 6 cards and I think the jail messed us up. I think they messed us up because they let an inmate make several phone calls. And what I’m thinking was they transferred the money off the cards. The dope that we seized had fentanyl in it. Luckily, we don’t have what other communities have, but I’m just letting ya’ll know. I’m going to put the link back on for the flock cameras for you all to review. Ms. Jill had asked what small communities used flocked cameras and how did it work for the small communities. They are going to let her know. They are going to give us some citizen responses. Otherwise a good quiet week. I think the fire dept went out. There was smoke coming from the post office. We got that taken care of and was able to get the fire dept there to take care of it. It was the air conditioning. CM Harrison – Did we make a decision on the camera system? CM Cross – We talked about it in the last meeting, but we were waiting to see what Montezuma was going to do. Chief Finch – We getting them. My council is pretty much 100% behind it. CM Cross – And I think the money we are saving with contracting with you is easily still within the budget and we can take some of our drug money and pay for it for the first year. Chief Finch – it says there that it’s going to alert them on stolen cars, no insurance cars, no drivers license, etc. Matter of fact with what’s going on in Americus now, they are talking about flock camera’s, too. CM Cross – We can vote next meeting next week. CM Harrison – What about our tag reader? Chief Finch – I talked to Josh about it. I had Gurero, my tag reader, to meet with Josh. If it doesn’t continue to work, I’m going to give it to Whitehead. I want ya’ll to understand this, if you can’t bring nothing to the team, you can’t be on the team. Some cops are not ticket writers, but you better be something else. I hold myself to that same accountability. CM Harrison – That’s my hesitance with getting this flock system because our revenue is like a fraction of what it was before and to pay this expense, revenue down, IRS issue, we have a tag reader, etc. Chief Finch – Once Whitehead is on the street working…. CM Cross – When will that be? Chief Finch – He’s on the streets now. Chief Finch – When can he have the tag reader? Chief Finch – This coming month once he has the radar class. I understand what you’re saying. CM Harrison – I’m also looking at the fact that November/December you said crime has gone down 30%, so that’s another thing I’m looking at that crime is already going down, we have a tag reader, lower revenue, do we really want to invest in a monthly fee like this. CM Cross – My thought was with what we were paying one officer would cover these flock cameras. CM Harrison - Can you give us a report next week on where crime is now as to opposed where it was back in November/December? Chief Finch – I can tell you now. Asbury Road, Carla Drive, and Jordan Street. Loud music is an issue. This is a pretty safe community. CM Cross – This time of year with the weather warming up, it can get a little worse. Chief Finch – This isn’t kids, these are adults. CM Cross – Did you get it straight about the court issues? Chief Finch – yes, but what you fail to realize is that if someone doesn’t come to your court, they get a failure to appear. It says you have 30 days to pay and found guilty. People think one cop can do everything, but they have to be certified for different things.
3. Librarian, Glenda Rigby – report to be emailed at first of the month
4. Water/Sewer/Streets, HWR Jeff Harrison – absent – Jill has his report. (ATTACHED) CM Cross – I just want to clarify that the drone that was found out by the water tower, it was actually found and brought in by our contractors HWR. They were smart enough to know something was right and made a video of actually walking up to it and sent it to Captain Hill. I thought they handled it real well and it’s commendable.
5. Fire Department – emailed – Asst Chief Ansley – January report. Ran 19 calls. Some vehicle and trees down. We had an issue with the extrication pump and hose blew on the scene so we had to have that fixed. Engine 31 has a bad oil leak. Bobby Avery diesel mechanic is going to repair. Something to think about is this engine is 18 years old and we should be starting to look at another one. If that truck goes down, the City of Oglethorpe doesn’t have another one. The fire gear that was purchased, some has come in and we are still waiting on the remainder. Have not received pants or coats. They should be coming in by end of March. CM Cross – right now we are having to borrow air packs from Montezuma because we don’t have any? Ansley – yes, all of the ones we have they have at least one issue with them so they have to be taken out of service. CM Harrison – Why are we just now hearing about this? Ansley –We took ours out of service and borrowed some from the county. I know the Chief has been in contact with Ms. Melissa and Ms. Cross about this issue. CM Cross – Yes, when I asked about a fire budget, he said he’s not seen a fire budget to know if we even have enough money to purchase these air packs that the guys need. It’s something I need to ask Melissa about to know. CM Harrison – How much do they run? Ansley – I don’t know the exact quote, but it would be $1,000.00 per air pack and we would need at least 4 to replace what we have now. CM Harrison – I wonder if there is any grant money they could get? CM Cross – I don’t know. I told Chief Childs that we might could get with maybe Flint Energies. They are also having issues with the AED. Ansley – Yes the battery went out. Need to replace the whole AED or maybe just replace the battery for it. Not sure if that will fix the problem so maybe have to get the whole thing. So if someone goes down in a cardiac arrest it can be used. CM Cross – I asked my husband Ken about the AED and he said that was through a grant program from the state and that the state was supposed to do the upkeep on it. Do you remember anything about it Kenny Welch? Kenny- I’m sure the date for that is long past. CM Cross – A new AED is about $2500.00, we sell them. Kenny – how much is a battery by itself? CM Cross – Well what we have to do to make sure that the voltage is correct, the emergency cardia care updates every 2 years what the charges should be in it and when I talked to Owen, if I’m right, ours doesn’t have the pediatric pad in it and the newer ones do. So if there’s a drowning, the only way you are going to get that kids heart back to beating is the pediatric pad, just saying we may need to look at a new one. CM Harrison – So the Fire Dept needs some new stuff. CM Cross – Well they need those air packs and they need the new AED, but that’s not just the Fire Dept, that’s for citizen’s safety. There may be a donor out there that is willing to buy the new AED. I will see if I can get with Melissa to see what the budget is. CM Harrison – Let’s talk about that next meeting. Chief Finch – (can’t understand) something about discretionary funds down in Americus. Might want to look on his website. CM Cross – If you will do it, I’ll write it. CM Harrison – plus needing to look at a new truck. We need to get creative with that, too. Ansley – That’s something we are talking about for the future, but wanted to go ahead and update on it now. CM Cross- Thank you for coming and this report explains a lot. Another thing that Chief Childs wanted me to communicate was that with Asst. Chief Ansley and Captain Esh that they take turns taking command on the fire calls and whether you know it or not, for each drill the guys get $7.50 and for each fire call they get $15.00. They are basically volunteers, and this money helps with clothing. What Chief Owens is asking is that these two guys got a little bit more for the calls because they are helping with all this paperwork that has to be submitted to the state. So, he was thinking that instead of the $15.00 for the calls for them they would get $20-$25. I’m not saying that in a motion or something to consider, I’m just conveying the information for Chief Childs. CM Harrison – Something to think about. I’m not saying they aren’t worthy because they are, I’m just saying we have a lot coming at us right now.

Council/Committee Reports

1. Mayor Hill – I have formed a committee and engaged RVRC to assist us with updating our ordinances. That is in process. On that committee is Jill Harrison, Jimmy Daniels, Jr., Kenny Welch, Joy McNutt, Jimmy Bray, myself, David Parrot, and Attorney Jon Coogle. That committee is going to help get the ordinances updated that should have been done years ago. For example, for how high you can have a fence. CM Mahone – shouldn’t it be voted on before putting this committee in place? Mayor Hill – This is just a committee to discuss and update. CM Harrison – I guess what he’s asking is how did you identify the 3 or others on the committee? CM Mahone – So you’re saying that the discussion is already taking place as you’ve put a committee together. Mayor Hill – It might have been a meeting that you did not attend. I don’t remember who said it, were you here (CM Harrison)? CM Harrison – I was the one who said that we needed to have some community people involved in it. I’m the one who said that. CM Mahone – But in regards to actually putting the committee together that wasn’t voted on before putting the committee together. Nor talking about the pros and cons. This all started about the whole fence thing. There was just a general discussion and now you are saying there is a committee. CM Harrison – He is saying it was never voted on. CM Mahone – I had a citizen ask me about who was going to be on it and I told them that a committee had not been put together. There was not a committee in place. During one meeting we talked about it a little and no committee was formed, we talked about that fence being over the line and we were going to get a survey. CM Cross – I can update on that. CM Mahone – Then started talking about putting committee in place and then down town ordinances. Like a HOA and that’s really what it is. It’s just like the dog issue. Everyone is coming up and saying what are we going to do about those dogs. When you create something, you have to have a solution for it. Then they started talking about the widening of the roads. Who’s doing the upkeep on the roads now? Nobody, so when you start out these ordinances, you’ve got to produce. When you start talking about houses of certain colors, etc. How would you feel? I asked what’s the actual issue with the fence and nobody gave a clear answer. It wasn’t that just a fence just went up. You could tell there was a reason for it. So, I was like what’s the big deal? CM Harrison – Here it is from the previous meeting – we said that we would move the discussion to the next work session. CM Mahone – I had said that needed to be taken off the agenda because that wasn’t a council member that brought up that idea (The Mayor requested it to be put on the Agenda via email). CM Harrison – So what are you saying Mike, what do you want us to do? CM Mahone – It can’t be a committee because it wasn’t voted on. Resident Madison Porter – May I say something? As far as ordinance decisions, we’ve had them in the past and I’ve been involved. And we always come down to enforcing them. Also, we are talking about citizen participation and those names you called off – those are the same people doing it every day. Why don’t we bring in more participants from the community, we just might hear something, different. CM Harrison – I agree that we need to have a more diverse sector of citizens. I think what’s going to set this committee apart, if we move forward with it, is RVRC is involved. They are involved because they are experts with helping go back and amend bylaws and our constitution. They can help with enforcement tactics, fines, etc. I agree Mayor that we need to open up the floor to have council suggest someone that should be on the committee that represents the community. CM Mahone – Well we never said there would be a committee. CM Harrison – So are you saying you don’t even know that we need a committee? CM Mahone – Well that’s what we would vote on. So say we put a committee together, who’s going to enforce it? We don’t have nobody. CM Harrison – The enforcement is something that would be discussed. The who, what, and how. CM Mahone – We back to square one, who is going to be the person to do it? We don’t have anybody. CM Cross – Well we have codes now that aren’t being enforced. CM Mahone – There you go. So what would be the purpose of putting this committee together. CM Cross – So creating new ones, until we come up with a plan for code enforcement, I might here the issue… so with the fence, David Parrott told us that he told the lady that she couldn’t put the fence on the alley, but she still did it. I’ve been going back and forth with Jon Coogle and when I told him that she was told, he said that he would write the letter advising she had to move the fence. CM Harrison – so what’s the punitive damage other than she receives the letter. CM Cross – We don’t have it. Madison Porter – you’ve got to have some methods so these people know ahead of time. CM Harrison – We’re all saying the same thing the end result is that we have to have somebody to enforce it. CM Mahone – Well she’s saying that he didn’t say anything to her (about the fence). CM Harrison – How do we know? CM Mahone – Exactly. CM Mahone – after the survey he is saying that, then somebody has to pay for it. CM Cross – and that’s what I was saying because Jon had still not had Matt (the surveyor) to come, but when I told him that David had told her about the alley, he said I don’t even have to do the survey now, I can just send her the letter. CM Harrison – Unless we are willing to pay an officer that is dedicated to enforcement, then we are just spinning our wheels. CM Cross – Even a part time. Kenny Welch – The Chief of Police is an enforcement officer. CM Harrison – to Chief Finch – are you going to do that? Are you equipped to do that? CM Cross – Could it be the designee? Kenny Welch – The city council can appoint anybody to do code enforcement. CM Harrison / CM Cross – But we have to pay them. Kenny Welch – In the ordinances it says the Chief of Police is responsible for the last few years. The Chief chooses not to do it, so the codes are not enforced. The last chief was told by council that she had to enforce the codes and she said she didn’t have time, the officers didn’t have time, etc. CM Harrison – Their manpower doesn’t allow them to. CM Cross – But Chief Cannon did it because he came by when we were putting a new roof on. Kenny Welch – You have easements on properties. It doesn’t matter if you’ve never used them. Deed says there’s an easement for public access. It’s for right of ways, it doesn’t matter. If I buy a piece of property, I’m going to read the deed. If there’s an easement there and I put up a fence and the city comes to me and says we have to have the easement here, that’s the end of the story because on the deed it will say there’s a public easement here. And if you didn’t read the deed, that’s on you. If she didn’t have a private survey when she bought it, it’s not the city’s fault. The easement would show up on the survey. CM Cross – We are having the same problem with Ms. Lawson who thinks she owns part of the same alley and doesn’t want anyone touching it. Kenny Welch – That’s what I’m saying, if the city enforces the easements, everybody’s property will be known. Just because I think my property goes over here and then over here. Chief Finch – and then here’s our problem that we face in Montezuma. Even your municipal court is going to say can you enforce that and do you have ordinances in place for that judge to hear it. But, what are you going to set it to? CM Harrison – Who sets the prices? Chief Finch – Everything you start talking about is things that were probably put together 87 years ago and you basically saying the Chief of Police can handle it. Now there’s the technical stuff and the police don’t have the expertise to do these things. Kenny Welch – The city would just expect you to understand that when there’s a violation of an ordinance, I got the complaint. Chief Finch – We can do that. Kenny Welch – Then if you say I’m not sure of the rule/ordinance, I’m going to call David Parrott and he’s going to be my expert. He’s going to come in and say you are out of compliance and then you are going to come back and say I’m going to write you a citation because you built this structure without being inspected. That’s your citation from the law side. David Parrott is your expert witness saying not it’s not done correctly. All you need to do is say I have a problem with electrical, etc. I have talked with David Parrott to tend with the technical side of it. Chief Finch – But what charge? Kenny Welch – They are out of compliance. Chief Finch – Ain’t no law saying they are out of compliance. Kenny Welch – In the charter. Chief Finch – not in municipal court. CM Harrison – There are no fees assessed for the fines. It has to be done in the court system and different processes. There’s nothing like that. Madison Porter – many of these properties haven’t been surveyed in 80 years or more. What were they doing then? They walked it off, right? Kenny Welch – no they had instruments. Madison Porter – The instruments to dig are \_\_\_\_\_\_\_\_\_\_\_\_. Kenny Welch – when they surveyed a property, that I tend to, they had a survey and there’s an iron pin in the ground for 80 years and they are dead on it. They could have used string or whatever years ago, they did pretty dang good. CM Harrison – So to bring resolution to this, the sole purpose of the committee is to work backwards and focus on setting the citation amounts and setting them up with the court then it makes sense to identify an enforcement officer. David Parrott is not going to do it for free so that would be two things we have to pay for. Chief Finch – If we have a statute in court, we can enforce it. But if the citizen doesn’t clean up the issue after so long, the judge and file for the city to have to pay to clean it up. Kenny Welch – This will be set up that it doesn’t happen this way because it can’t be that a judge says that the city has to clean it up. Chief Finch – If you don’t enforce and bring them to court, people are saying we need to do more. Kenny Welch – the lesson to the city is to not let the issues get this far. RVRC can come into play and write the ordinances a certain way, then the city can’t be made to do it. Chief Finch – But people won’t clean it up. Every time I take someone over to that jail for a city charge, you have to pay $45 for each day they are there. Then they complain my arm hurts, then they have to have medical treatment, then heart hurts…. Then you have a $50K bill – is it worth it? Kenny Welch – So now we’re at a place where we don’t need to do anything about our ordinances because it’s going to cost our city too much money? Don’t do anything to regulate anything? Then the judge is going to charge the city with the clean up? Can’t put someone in jail because it could be a medical issue? So, the best thing to do is to not spend any more time on ordinances and codes (Chief speaking over and can’t hear). Chief Finch – no, I’m just telling you what’s going to happen. The jailers over there will tell the people we take over there how to beat the system. Kenny Welch – So the lesson learned here is that we don’t have a way to enforce anything. CM Mahone – all this because somebody put a fence up, before that nothing was said. CM Cross – No, I can tell you that this is something that Jimmy Bray was adamant about and it was on the agenda every month. Chief Finch – I’m going to tell you that the Mayor was right on point and what needs to take place is to have the experts in place. They can tell us what we can be done or not. CM Harrison – They can help us put the process together, but at the end of the day we have to have the money to pay for people to enforce it, we have to have the money to pay David Parrott to go with them to review, and then at the end of the day if they say they can’t afford it etc., the city will have to pay for it. Chief Finch – I’m just saying what we experienced. CM Coogle – Let’s hold on a minute, what this ordinance committee is about is to try to put something in place so certain things don’t happen. Not to go back, but put in place so it doesn’t happen again. That’s what this is about. CM Harrison – But if there is nothing at the end of the rainbow, they don’t care. CM Cross – Most people will follow the rules. Chief Finch – But some are going to break them. I agree with what everybody is saying, but you are going to have some people. CM Harrison – So what are we going to do y’all? Kenny Welch – you as a council needs to sit down with RVRC or GMA and talk to them about what we can or can’t do. You can call a meeting and sit down with them on what you can or can’t do. They can even give you a form. CM Cross – We can’t have a private meeting it has to be public. Kenny Welch – It can be a called meeting and you can call it at any time and it not be a work session where they can walk you through this. Get with the RVRC agent and set up a public hearing to meet. CM Cross – before we call him, we need to come up with the dates that we can all be here. CM Harrison – So by next Thursday’s meeting lets all come with 3 Mondays for the month of April. CM Cross – I already know that there are 2 that I can’t be here. CM Mahone – Just put on agenda for next meeting.
2. Human Resources/Finance – CM Coogle - nothing
3. Public Safety – CM Cross – nothing
4. Utilities/Streets/Cemetery – CM Harrison
5. Planning & Recreation – CM Daniels, Jr. – absent

New Business

1) Discussion of hand rails at City Hall requested in Library Report – CM Cross – they want handrails coming up and around. CM Harrison – I believe Ms. Glenda stated that she’s had two people fall coming up to come

into the library and she wanted us to consider putting up handrails. I want something that will look nice, but I think we should table it until we get past this ugly IRS mess. I’m not saying no, but just table it for now.

2) We Love Oglethorpe Week 2023 – (CM Harrison) CM Porter from Montezuma, CM Joiner from Ideal, and CM Gerard from Marshallville, we are planning to meet next week to talk about a possible “joint” Ga Cities

Week so we aren’t competing with each other. I didn’t say yes or not, but can talk about it. We can pool our resources and maybe have something different in each city on a certain day. I’ll keep you abreast of what we

come up with. CM Cross – I would like to see that one thing one day in Oglethorpe. It was just too much. It was great, but it was a lot. CM Harrison – I have some ideas already and I will update before the next council

meeting.

3) Upcoming Virtual Stakeholder Meeting regarding submission of Lead Service Line Inventory for Public Water Systems hosted by EPD 02/27/23 – CM Harrison – The Mayor went to a RVRC meeting and already heard about this. I went to a second meeting where the state has been allocated funds through GEFA and the GA Water (something in Americus) where they are addressing lead in the water/pipes. There is money available for citizen owned lines in the city. This is not for the county – only the city and the lines can be replaced for free. CM Cross – Am I hearing you say that this is for the property owner side and not the city? CM Harrison – Both. No property owner will have to incur the cost. The city will be asked to pay upfront and reimbursed. For smaller cities they are going to come up with a short-term grant to where no money will have to come out of the cities budget. The problem is going to be getting by-in from constituents to let these people come check out your lines, the trust factor. It’s kind of an opportunity for economic development and jobs because this is money that can be used to pay people to come and learn how to be certified to check out the lines. It has to be done by October 2024. Some cities (Smyrna) they are already done. CM Cross – Do we have any lead lines on our side? CM Harrison – Jeff says we do not have lead anywhere as we do the testing all the time. CM Cross – That doesn’t mean residents don’t have the lead pipes though. As far as city owned no though. CM Harrison – Correct and since this will all be paid for at the government’s expense, why not? It’s just managing the whole thing and a logistical headache to think about it. The first meeting about it will be on Monday the 27th, so I’m going to ask Melissa to post the flyer and the link on our social pages and website. It’s a bipartisan infrastructure law that everyone can benefit from. October 16, 2024 is when it has to be done.

Old Business

1) Discussion of Ordinance Committee - (2 Council, 2 DDA, 2 Residents, David Parrott, and Attorney Coogle) –

Meetings are open to the public.

2) Police Dept Roof – Review Sealed Bid information (attached) – CM Cross – we received one bid for the steel structure to go over it from Riley Contracting Inc. in the amount of $268.000.00 That’s more money than we have in ARPA. So, I want to go back to the previous discussion. Do we want to go back and revisit previous bids? Every time we put out for bids, we are spending money on advertising. Do we want to re-advertise and look at putting truss up and a roof over it with a truss? Or do we just want to patch the thing? All this rain lately is doing more and more damage? CM Mahone – Can we get it with trusses? CM Cross – That’s another bid and another advertisement. We have to wait another 60 days? CM Harrison – Can we legally go back to the previous bids? CM Cross – I think we can because we advertised them. I’m just bringing up ideas. CM Mahone – I’m just saying the flat type roof ain’t going to fix it. CM Harrison – I say we advertise for the truss type roof and if it’s astronomical we can go back to the first bids we received and review. CM Mahone – It’s got to be something with some type of pitch because if not, the water is just going to sit on top. CM Coogle – Yeah, ok I got it. I have some store buildings like that. CM Cross – As narrow as it is, I think it could have the wood trusses. Then put tin roofs on it – we can anchor it down. It wouldn’t have to have any insulation under it because it’s already there. CM Coogle – Know anybody that does construction? CM Cross – Melissa we will try to have you something on that next week for advertisement.

Other Business

1) IRS (Past Due Payroll Taxes 2017-2019) – IRS has rejected Offer in Compromise / Appeals Process – **Clarence Bolden** (our contracted IRS Expert) –

Balance owed for past due payroll taxes is $424,430.95 – Mr. Bolden recommended to the city by GMA district rep Terrell Jacobs. I have been working with Melissa about a year and a half. It’s important to give you an update. When this started the city owed payroll taxes that had not been paid since 2016 as the previous representative (clerk) was not making the payments. The IRS decided they would sue the city. I was called in and saw that this was going to be a long-term issue because the federal government does not get in a hurry. If you miss a deadline, it’s out. Melissa and I have been very serious about making sure that we have hit every deadline during this process. About a year ago, I had a deadline of the 16th of the month. I always send it registered. The government claimed they never got it. I said, yes you got it. Then they said well we got it late. I said well here’s my proof that it was mailed on time and received. So those are things that we constantly have to look at for. They are sneaky and they will dismiss us in an instant. So, we went through the process and found that the 2016 and some of 2017 were paid and they had been charging us penalties and interest on. So, what happened was the monies were paid, but the reports were not filed. So, Melissa went back and filed for all of those years that had not been filed. So the government can’t use that against the city. They finally realized we had paid the 2016 and early 2017 so they took that off. What was $570K is now $425K. The third quarter of 2017 through 2020 are still owed. We are trying to negotiate with the IRS. We’ve advised we are a very small town, with a small tax base. We did do this and we are sorry. We will not make this mistake again, give us a break. They said no, we want the money. We went through the process of a hearing to determine that gov’t claims are correct. They set the hearing and delayed it multiple times month after month. We finally had the hearing and the gov’t said you’re wrong and we’re right. So, I said we’ve tried to work this out, we’ve offered you money to settle, etc. I said you IRS in November of 2017 came to the City of Oglethorpe and did an inspection and then sent a letter stating that everything was fine. From that date forward we should not be liable for that. They said no. So, we then said we would offer a payment plan that we could both agree upon and I suggested an amount and they said no. So our other option is to file an Offer in Compromise in May of 2022. We started paying $4000.00 per month pursuant to that filing. After the offer was made and registered, the IRS had to stop all collection actions. Mr. Kennedy is the IRS agent that we have. He wanted materials and info and I sent it to them. He said well you have $3million dollars in assets and properties that you can mortgage. I advised that no, these are city parks, city water waste ponds, booster stations, etc. and you can’t mortgage those. He said no you can do it and I said no you can’t. So, this is what they are resting their case on is that the city can mortgage these properties. I asked the Mayor and Melissa to ask the bank will you give us money on these properties as collateral…. I expect the bank to say no. Our next and final action is to send in an Appeal. The Office of Appeals is supposed to be independent of the IRS and are supposed to look at the case based on the facts. We just received the OIC Rejection letter on the 16th and have until the 16th of March to file the appeal. It will be 2-3 months before the appeal is set and then they will decide yes or no and they will also decide how much we have to pay. They might decide the $96K you offered is inadequate and $117K in savings and we will take the $96K and the $117K then the compromise is done. CM Cross – So what I’m hearing is that we don’t have $424K in cash to give them? Mr. Bolden – Correct. CM Cross – And of course we have designated monies they can’t touch. And we have $117K in cash that is ours and the $96K that is ours. So, the most they can take is all our cash? Mr. Bolden – No they can take it whatever they like because they are claiming with your assets you have the ability to get it. CM Cross – But what if we can’t get it? Mr. Bolden – That’s if the bank says no, then we can use it on our appeals. CM Harrison – So everything hinges on that denial from the bank. Mr. Bolden – yes. CM Cross – So do we have to go to multiple banks for that? Mr. Bolden – I would just go to the one that you use all the time. The IRS has already gotten their information months ago. CM Harrison – Last year I went to Congressman Bishop’s office for help, but unfortunately, they couldn’t be of help as we had already submitted an OIC. Do you think there is anything they could possibly do? Mr. Bolden – at this point I don’t think so as the appeals office is supposed to be the end. I can talk with them if needed. CM Coogle – What do you think the chances are of them taking what we offer? Mr. Bolden – they said they won’t take the offer. The Mayor and Melissa have a copy. They said we have investigated your offer and have rejected it for the following reasons. (Mr. Bolden reads the letter). If the appeal is not successful then your next option is to go to court. I spoke with your city attorney very early on and he is aware that I am not going to take this to \_\_\_\_\_\_\_\_\_\_\_. If we get the information from the bank that we think we are going to get, then it destroys the IRSs’ basis for collection. A reasonable appeals officer will see that. May be able to settle at the $117K that you do have and that’s the best we can hope for. Everything from 2020 to the present is paid and on-time. Melissa is currently paying the federal payroll taxes every 2 weeks which is very unreasonable and no one else has to do that. You had more employee’s back then than you do now and therefore the amount was more plus all of the penalty and interest. What happened to it, I don’t know and I was not charged with finding that out. CM Harrison – Should we pursue that? Mr. Bolden – I would. CM Cross – I think they did, Bruce? I thought they audited and they had to get them up to date. And the audits would have shown if monies were found to have been not where they were supposed to be? Gene (the auditor) should be able to tell us since he did the audits. CM Coogle – I think it was probably spent in General Funds somewhere. Mr. Bolden – I’m not suggesting that anything was being done wrong, just payroll taxes were not paid. It has been since Melissa came on, but prior to her – no. CM Cross – Gene Allen that’s the auditor’s name. Mr. Bolden – Gene doesn’t know anything…. He only knows what I told him. He asked me what was going on and I’ve had to report it to him twice for two years and I sent Melissa copies of what he was told. CM Harrison – So we need to get a forensic auditor to come and really look to see where that money went? That’s crazy. That’s what we owe the IRS and I’m sure whoever doesn’t have it, but if we are on the line about it so should they be. CM Cross – They took her tax refund, too. Mr. Bolden – yes, she was the last clerk. CM Harrison – I don’t care about her refund, but we need to have an auditor come in. CM Cross – Melissa can you check and see if they did go back and audit those years? Mayor Hill – just as a footnote, I’ve been working in the background also. I have carried documents over to PNC Bank in regards to this, we just haven’t heard anything back yet. CM Harrison – They are extremely thorough, so it may take a minute. (more conversation, but not loud enough to hear). Mr. Bolden – Just know I am available if needed for anything. It was great to meet you all.

Adjourn: Motion CM Coogle 7:45PM