

**GORDON COUNTY BOARD OF COMMISSIONERS  
WORK SESSION MINUTES  
JUNE 15, 2021 AT 5:45 P.M.**

**MEMBERS PRESENT**

**BECKY HOOD, CHAIRMAN  
CHAD STEWARD, COMMISSIONER  
BRUCE POTTS, COMMISSIONER  
KEVIN CUNNINGHAM, COMMISSIONER  
M. L. BUD OWENS, COMMISSIONER**

**OTHERS PRESENT**

**JIM LEDBETTER, COUNTY ADMINIST  
ANNETTE BERRY, COUNTY CLERK  
MEDIA  
APPROXIMATELY 10 GUESTS**

The Board of Commissioners met for the Work Session in the Conference Room of the Administration Building at 5:45 p.m.

Chairman Hood called the meeting to order.

County Administrator explained each New Business item on the Regular Meeting agenda to the Board members.

Administrator Ledbetter talked to the Board about the Dews Pond Road intersection where the development that Brent Stepp is planning that was recently annexed into the City. This is for the Board's information, the only thing the County has to do with this, now a City subdivision since it was annexed, is the inconvenience of the traffic and expense that comes with the subdivision emptying on to our county jurisdiction road. A number of different people in the community have called, some of them are people who own manufacturing plants, etc. and are heavily invested in our community. A lot of people have communicated their concerns about traffic and the hazards of this many homes dumping traffic on to the road in the mornings and back into the subdivision in the afternoon. We have met with the Public Works Director and the engineer for the subdivision and we have asked them to consider other measure, such as turn lanes, etc. They have said this is their plan and they are not required to do turn lanes, etc. The Administrator said he has not read the design against the County's ULDC requirements yet. The Director at Public Works has looked at it and has advised that this is the most we can "enforce" them to do. We don't have anything to compel them to do anything differently. The Administrator said he has spoken to several different people in the public, they have talked to him about their concerns and he told them he would make sure that we do what we can for the safety on Dews Pond Road, that's what we want to do. This is what's being proposed and we are not sure we can make them do anything differently. They haven't done a recent traffic study. The Public Works Director spoke up and advised that they said they would do a traffic study if we require it, and the County has not permitted this plan yet. Administrator advised that we will require them to complete that traffic study and they will have to comply with its recommendation before we will issue any kind of a permit. The City has, all along, said they would work with us on this.

Commissioner Potts made a motion to close the Work Session. Commissioner Owens seconded the motion and all voted aye.

There being no further business, the Work Session adjourned at 6:00 p.m.

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Annette Berry, County Clerk

Becky Hood, Chairman

**GORDON COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
JUNE 15, 2021**

The Gordon County Board of Commissioners held their Regular Meeting on June 15, 2021, beginning at 6:00 p.m. in the conference room of the Administration Building.

**MEMBERS PRESENT**

**BECKY HOOD, CHAIRMAN  
CHAD STEWARD, VICE CHAIRMAN  
BRUCE POTTS, COMMISSIONER  
KEVIN CUNNINGHAM, COMMISSIONER  
M. L. BUD OWENS, COMMISSIONER**

**OTHERS PRESENT**

**JIM LEDBETTER, ADMINISTRATOR  
ANNETTE BERRY, COUNTY CLERK  
MEDIA  
APPROXIMATELY 12 GUESTS**

Chairman Hood called the meeting to order.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Invocation was led by Commissioner Potts and Chairman Hood led the Pledge of Allegiance to the Flag.

**BOARD HEARING ON RAINBOW CORNER TO SUSPEND OR REVOKE BEER AND WINE LICENSE**

Administrator Ledbetter sworn in Detective Lane Bennett with the Sheriff's Department to testify in this matter being the petition for revocation of beer and wine license for Mrs. Krupal B. Patel and Rainbow Corner, license #2021-014.

Detective Bennett affirmed that he works for the Sheriff's office in the Detective Division. Detective Bennett said he did have involvement in an investigation at Rainbow Corner, 4594 Dews Pond and he recognized Mrs. Patel from a previous investigation and identified her as the licensee of the alcohol licensee in this investigation. The Sheriff's office received multiple complaints and or information regarding the possible sale of alcoholic beverages to minors. Captain Morrison, Commander of the Detective Division met with him and other detectives and said he had received information that Rainbow Corner was involved in the sale of alcoholic beverages to persons under 21 years of age, as well as nicotine products. Detective Bennett obtained the business license for Rainbow Corner and a background check was done on this business. The department decided to do surveillance on the business to see if underage persons were going in there and carrying out cases of beer. Under surveillance, a group of underage persons went into the store and came out with armloads of alcoholic beverages. They watched the vehicle and the vehicle violated a motor vehicle traffic law as it left the area. A traffic stop was conducted by a uniformed patrol officer, the driver was under 21 years of age and in the back seat of the vehicle was a case of alcoholic beverage. At that time Detective Bennett was contacted and he came and did an interview with the young man. The young man acknowledged to obtaining alcohol along with another group of individuals at that time while officers were doing surveillance at that location. They called all the kids' together and they brought all the alcohol back down to them and they contacted all the parents. Two of them admitted to purchasing alcohol there and they made reference to Bob Patel. They had been purchasing alcohol from him for quite some time. All the statements were under Miranda and all parents were notified, we then released the underage to the parents. The alcohol purchased that night was one 18-pack of Michelob ultra, two cans of Truly Hard extra seltzer, four glass bottles of Johnny Bootlegger, one 24-pack Michelob ultra, one 12-pack of Twisted Tea, one 12-pack of Bang Hard seltzer, two 6-pack of Jack Daniels punch, and one six-pack of Smirnoff Source. On June 2<sup>nd</sup>, he met with Detective Lindsey Azar and they met with a confidential informant; the purpose of that meeting was to attempt a controlled undercover purchase of alcohol from

Rainbow Corner. This informant was fitted with a recording device as well as an audio recorder and video. He was issued official Sheriff's Office drug funds to purchase the alcohol and was sent to the Rainbow Corner. He talked to Bob Patel and purchased alcohol, he left the scene and met with the Detectives and turned over a six-pack of Bud Light beer. They reviewed the video and audio and determined that it was Bob Patel who sold him the alcoholic beverage. From that point, a search warrant and arrest warrant was issued for Bob Patel. The arrest warrant was for three counts for distribution of alcoholic beverage to a person under the age of 21, and the search warrant was for the evidence. They executed the search warrant at Rainbow Corner, Bob Patel was there by himself as far as operation, some customers were in the store. He was taken into custody without incident, two items of evidence were taken and that was his cell phone and the hd recorder because it's going to contain evidence of potential under aged alcohol sales. This is where we are in the case right now. He said Bob Patel was the same person that was arrested last fall at this same location for selling alcoholic beverage to under aged persons. He is the spouse of Mrs. Patel who holds the license.

There were no questions or comments from Mrs. Patel.

Administrator Ledbetter advised the Board that on November 3, 2020 this Board revoked the alcohol license of Mrs. Patel for the remainder of that term, that was the maximum penalty allowed for the two offenses within five years that occurred; she reapplied for an alcohol license in December for year 2021. This is now the third and fourth offenses within five years. Revocation of the license would be the prescribed penalty under the County's ordinance.

Commissioner Owens made a motion to revoke the beer and wine license of Rainbow Corners at 4594 Dews Pond Road, Calhoun, Georgia held in the name of Krupal B. Patel. Commissioner Steward seconded the motion and Commissioners Owens, Steward, Potts, and Cunningham voted aye. Motion passed.

Administrator Ledbetter advised that the revocation is effective immediately and that Mrs. Patel will receive an official notification in person and by mail.

### APPROVAL OF MINUTES

Chairman Hood asked if there are any additions, omissions, or deletions to the Minutes for the Work Session and Regular Meeting of June 1, 2021. Commissioner Potts made a motion to approve the Minutes. Commissioner Cunningham seconded the motion and Commissioners Owens, Potts, Steward, and Cunningham voted aye. Motion passed.

### ADMINISTRATOR'S REPORT

Administrator Ledbetter's report is attached.

### COMMISSIONERS' REPORT

Commissioner Owen commented that he handled three citizen concerns, attended the Planning Commission meeting, attended the Calhoun City Council's budget presentation, and had a visit and spent some time with the Chattooga County commissioner. Commissioner Potts reported he attended the Planning Commission meeting, completed CERT training for Unit Four, attended a DEFCS Board meeting, he showed a video of a group within the community that has a home for kids that come into foster care before they are placed in a home, he attended the final class for commissioner certification, showed some pictures of work being done on Russell Hill Road, and Dobson Road, and storm damage in Plainville. Chairman Hood advised that she met with Jim Ledbetter and Kathy Johnson at the Chamber and received updates on all the projects, also met with Senator Warnock's office.

### CONSIDERATION OF UNFINISHED BUSINESS

None

**CONSIDERATION OF NEW BUSINESS****RESOLUTION FOR ADOPTION OF THE FISCAL YEAR 2021/2022 GORDON COUNTY BUDGET**

Administrator Ledbetter advised that this is the resolution for adoption of the fiscal year 2021/2022 Gordon County budget. The total of all funds budget, which includes SPLOST projects and General Fund, is \$64,234,729. That's a 13% increase over last year, however, only 3.34% of that increase is out of the General Fund, the rest of it is already collected SPLOST funds. On the General Fund, the recommended budget is \$39,252,209.

Commissioner Steward made a motion to approve the resolution for adoption of the fiscal year 2021/2022 budget. Commissioner Cunningham seconded the motion and Commissioners Steward, Cunningham, Potts, and Owens voted aye. Motion passed.

**BUDGET AMENDMENT TO RECEIVE FUNDS FROM THE AMERICAN RESCUE PLAN ACT OF 2021**

Administrator Ledbetter advised this is a budget amendment to the current year's budget. This is to receive officially, the American Rescue Plan fund revenue of \$5,629,316.50. We have until 2024 to come up with a plan to spend the funds; we have to spend the funds by 2026. Gordon County will receive a like amount for deposit within the next year.

Commissioner Potts made a motion to approve the budget amendment to receive the funds from the American Rescue Plan Act of 2021 in the amount of \$5,629,316.50. Commissioner Owens seconded the motion and Commissioners Steward, Potts, Cunningham, and Owens voted aye. Motion passed.

**RE-APPOINTMENT OF BETTY ANN SURDYKOWSKI TO THE HISTORIC PRESERVATION COMMISSION FOR A THREE-YEAR TERM ENDING 6/1/2024**

Administrator Ledbetter advised that this is the re-appointment of Betty Ann Surdykowski to the Historic Preservation Commission for a three-year term ending 6/1/2024. This is Commissioner Potts appointment to that Commission.

Commissioner Owens made a motion to approve the re-appointment to the Historic Preservation Commission for Betty Ann Surdykowski. Commissioner Steward seconded the motion and Commissioners Potts, Owens, Steward, and Cunningham voted aye. Motion passed.

**PUBLIC DEFENDER ANNUAL AGREEMENT FY 2022**

Administrator Ledbetter advised that this is our annual Public Defender agreement for 2022. It is basically the same every year, except the budgeted amounts change.

Commissioner Cunningham made a motion to approve the annual agreement for the Public Defender's office for fiscal year 2022. Commissioner Steward seconded the motion and Commissioners Potts, Owens, Steward, and Cunningham voted aye. Motion passed.

PAVING LIST FOR 2021/2022

Administrator Ledbetter advised that this is the 2021/2022 paving list, this will include paving in all of the five districts that the commissioners represent.

Commissioner Steward made a motion to approve the paving list for 2021/2022. Commissioner Cunningham seconded the motion and Commissioners Owens, Cunningham, Potts, and Steward voted aye. Motion passed.

ADJOURNMENT

Commissioner Cunningham made a motion to adjourn the Regular Meeting. Commissioner Potts seconded the motion and all voted aye.

There being no further business, the meeting adjourned at 6:26 p.m.

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Annette Berry, County Clerk

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Becky Hood, Chairman