



Hart County Board of Commissioners  
Tuesday February 25, 2025  
6:00 p.m.

Emergency Services and Administration Building

1. PRAYER
2. PLEDGE OF ALLEGIANCE
3. CALL TO ORDER
4. WELCOME
5. APPROVE AGENDA
  - Public Hearing on opting out of HB 581
6. APPROVE MINUTES OF PREVIOUS MEETING(S)
  - 02/11/2025 Regular Minutes
7. REMARKS BY INVITED GUESTS, COMMITTEES, AUTHORITIES
8. REPORTS BY CONSTITUTIONAL OFFICERS & DEPARTMENT HEADS
9. COUNTY ADMINISTRATOR'S REPORT
10. CHAIRMAN'S REPORT
11. COMMISSIONERS' REPORTS
12. OLD BUSINESS
  - a) Resolution Opting out of HB 581
  - b) Purchase of vehicle for Health Department (Budgeted)
  - c) Purchase of vehicle for Road Department (Budgeted)
  - d) Permission to bid recreation fall sports uniforms and photography
  - e) Bid opening Replacement Mega Ramp dock
  - f) Bid opening Tennis / Pickleball lighting installation
  - g) Bid award for 2023-2024 paving
13. NEW BUSINESS
  - a) Permission to send out RFP for meals on wheels food supplier (Senior Center)
  - b) Amendment to Chapter 50 MANUFACTURED HOMES AND TRAILERS Sec 50-3 Requirements
  - c) Credit for experience EMS
14. PUBLIC COMMENT
15. EXECUTIVE SESSION – Litigation – Personnel - Real Estate
16. ADJOURNMENT



Hart County Board of Commissioners  
February 25, 2025  
6:00 p.m.

The Hart County Board of Commissioners met February 25, 2025 at the Hart County Administrative & Emergency Services Center.

Chairman Marshall Sayer presided with Commissioners Michael Bennett, Frankie Teasley, Jeff Brown and Joey Dorsey present.

1. Prayer

Commissioner Dorsey offered prayer.

2. Pledge of Allegiance

Everyone stood in observance of the Pledge of Allegiance.

3. Call to Order

Chairman Sayer called the meeting to order.

4. Welcome

Chairman Sayer welcomed those in attendance either in person, viewing on HTC, or YouTube.

5. Approve Agenda

Commissioner Dorsey moved to approve the agenda. Commissioner Teasley provided a second to the motion. The motion carried 5-0.

Public Hearing on Opting Out of HB 581

Commissioner Bennett moved to close the meeting and go into the Public Hearing on opting out of HB 581. Commissioner Teasley provided a second to the motion. The motion carried 5-0.

David Setchel, 1505 Old Beacon Light Rd, addressed the Board concerning HB 581.

Commissioner Bennett moved to close the Public Hearing and open the Regular Meeting. Commissioner Teasley provided a second to the motion. The motion carried 5-0.

6. Approve the Minutes of Previous Meeting(s)

2/11/2025 Regular Meeting

Commissioner Teasley moved to approve the 2/11/2025 Regular Meeting minutes. Commissioner Brown provided a second to the motion. The motion carried 5-0.

## 7. Remarks by invited Guests, Committees, Authorities

None

## 8. Reports by Constitutional Officers & Department Heads

EMS Director Mike Adams gave an update on calls for 2024 and staffing.

## 9. County Administrator's Report

County Administrator, Terrell Partain, advised the Board that he received a letter from GDOT about the bridge on Hwy 51 in response to building a parallel bridge. GDOT is seriously considering this option.

## 10. Chairman's Report

Chairman Sayer thanked Matt Denton for making contributions to the Sheriff's Department for a new drug dog.

## 11. Commissioner's Report

Commissioner Bennett echoed Chairman Sayer's comments regarding Mr. Denton's contribution. He also recognized and thanked Officer Adams from Whitworth for the good job that is being done with keeping the litter picked up on County roads.

Commissioner Teasley also echoed Chairman Sayer's comments and Commissioner Bennett's comments concerning Officer Adams. He also thanked our Public Safety personnel.

Commissioner Brown gave a report on his attendance at the ACCG Legislative Conference in Atlanta.

Commissioner Dorsey thanked Mr. Denton and asked the County Administrator to check on the letters that had been sent to GDOT about the 3 way stop on Boleman Hill and the 4 way stop at Liberty Hill Rd and Liberty Hill Church Rd.

## 12. OLD BUSINESS

### a) Resolution Opting out of HB 581

Chairman Sayer read the Resolution, Commissioner Dorsey spoke on how flawed this bill is, stating that neither the State Representatives nor State Senators could answer questions concerning this bill. Commissioner Dorsey moved to adopt the Resolution to opt out of HB 581. Commissioner Bennett provided a second. The motion carried 5-0.



b) Purchase of Vehicle for Health Department (Budged)

Commissioner Dorsey moved to purchase a vehicle for the Health Department. Commissioner Brown provided a second. The motion carried 5-0.

c) Purchase of vehicle for Road Department (Budgeted)

Commissioner Dorsey moved to purchase a vehicle for the Road Department. Commissioner Brown provided a second. The motion carried 5-0.

d) Permission to Bid Recreation Fall Sports Uniforms and Photography

Commissioner Brown moved to grant permission to bid recreation fall sports uniforms and photography. Commissioner Teasley provided a second to the motion. The motion carried 5-0.

e) Bid opening Replacement Mega Ramp Dock

Commissioner Dorsey moved to give the opened bids to County Administrator Terrell Partain for his recommendation. Commissioner Bennett provided a second to the motion. The motion carried 5-0.

f) Bid opening Tennis/Pickleball Lighting Installation

Commissioner Dorsey moved to extend the bid deadline for two weeks for Tennis/Pickleball lighting installation. Commissioner Brown provided a second to the motion. The motion carried 5-0.

g) Bid Award for 2023-2024 Paving

The County Administrator recommended going with the low bid of \$2,478,165.00 from Stratton and Son's Construction Inc. Commissioner Dorsey moved to award the 2023-2024 Paving to Stratton and Sons Construction Inc. Commissioner Bennett provided a second to the motion. Commissioner Brown abstained from the voting due to a conflict of interest. The motion carried 4-0.

### 13. NEW BUSINESS

- a) Permission to send out RFP for Meals on Wheels food supplier (Senior Center)

Kelly Seymour, Director of the Senior Center, explained the need for the RFP for Meals on Wheels food supplier. Commissioner Dorsey moved to grant permission to advertise for bids for Meals on Wheels food supplier (Senior Center) upon amending the RFP to include All Late Bids Will Be Rejected. Chairman Sayer provided a second to the motion. The motion carried 5-0.

- b) Amendment to Chapter 50 MANUFACTURED HOMES AND TRAILERS  
sec 50-3 Requirements

Commissioner Bennett moved to amend Chapter 50 MANUFACTURED HOMES AND TRAILERS sec 50-3 Requirements to change the initial inspectors from requiring a Building Inspector to a Certified Home Inspector. Commissioner Brown provided a second to the motion. The motion carried 5-0.

- c) Credit for Experience EMS

Chairman Sayer moved to grant Paramedic Amber Duggan 2 years of experience retroactive. Commissioner Bennett provided a second to the motion. The motion carried 5-0.

### 14. Public Comment

None.

### 15. EXECUTIVE SESSION – Litigation, Personnel, Real Estate Acquisition

Commissioner Dorsey provided a motion to exit the Regular Meeting and go into Executive Session for Litigation, Personnel, Real Estate Acquisition. Commissioner Bennett provided a second to the motion. The motion carried 5-0.

Commissioner Bennett moved to close the Executive Session and open the Regular Meeting. Commissioner Brown provided a second to the motion. The motion carried 5-0.

### h) ADJOURNMENT

Commissioner Dorsey moved to adjourn the meeting. Commissioner Brown provided a second to the motion. The motion carried 5-0.

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Marshall Sayer, Chairman

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Lisa Evans, Administrative Assistant





*RESOLUTION BY HART COUNTY TO OPT OUT OF  
THE HOMESTEAD EXEMPTION PURSUANT TO  
O.C.G.A. § 48-5-44.2*

WHEREAS, Georgia Code O.C.G.A. § 48-5-44.2, effective January 1, 2025 creates a statewide homestead exemption from ad valorem taxes levied by, for, or on behalf of the state or any county, consolidated government, municipality, or local school district in this state; and

WHEREAS, more specifically, O.C.G.A. § 48-5-44.2(i) authorizes the governing authority of any county, consolidated government, municipality, or local school district to opt out of the homestead exemption otherwise granted with respect to such political subdivision through certain procedures and the adoption of a resolution by March 1, 2025; and

WHEREAS, Hart County desires to opt out of the homestead exemption otherwise granted, and

WHEREAS, Hart County has complied with the required procedures pursuant to O.C.G.A. § 48-5-44.2(i), including but not limited to, holding at least three public meetings on the intent to opt out and placing the required advertisement in a newspaper of general circulation and on website as required.

NOW, THEREFORE, BE IT RESOLVED that the Hart County Board of Commissioners of Hart County hereby opts out of the homestead exemption otherwise granted by O.C.G.A. § 48-5-44.2

BE IT FURTHER RESOLVED, that the Hart County Associate Clerk is hereby directed to provide a certified copy of this resolution to the Georgia Secretary of State no later than March 1, 2025.

PASSED AND RESOLVED this 25<sup>th</sup> day of February 2025.

HART COUNTY BOARD OF COMMISSIONERS

  
Marshall Sayer, Chairman

ATTEST:

  
Betty Floyd, Associate County Clerk

(Seal)



## **AGREEMENT BETWEEN HART COUNTY AND CONTRACTOR**

Made this fifth day of March 2025 between County:

**Hart County Board of Commissioners  
800 Chandler Street  
Hartwell, Georgia 30643**

and Contractor:

**Stratton and Sons Construction, Inc.  
829 Casey R.  
Canon, Georgia 30520**



for the following Project: 2023-2024 Road Milling, Patching, Overlay, Widening, and Projects

Hart County, Georgia

The County and Contractor agree to the following terms and conditions:

### **ARTICLE 1: CONTRACT DOCUMENTS**

The Contract Documents consist of this Agreement, Bid Documents, Plans and other documents and modifications issued after execution of this document; these form the Contract, and are as fully a part of the Contract as if attached to this Agreement or included herein. The Contract represents the entire and integrated agreement between the parties hereto and supersedes prior negotiations, representations or agreements, either written or oral. Contractor acknowledges that the bid documents contain only an estimate of quantities, and County does not warrant that said figure is correct.

### **ARTICLE 2: THE WORK OF THIS CONTRACT**

Contractor shall execute the entire Work described in the Contract Documents. Contractor's execution of said Work shall be performed in a good workmanlike and substantial manner. Contractor shall provide all labor and proper and sufficient materials for the completion of the Work. All work shall be completed in accordance with Contract Documents for and in consideration of the **prices** submitted with the bid.

### **ARTICLE 3: DATE OF COMMENCEMENT AND TERM**



The date of commencement shall be as outlined in the bid documents. All work must be completed by **December 30, 2025**. Should Contractor fail to complete the work by the termination date (excluding extension days if granted as per the Contract Documents), Contractor shall pay the sum of one hundred fifty dollars (\$150.00) per day to County as liquidated damages for each day after said termination date.

#### **ARTICLE 4: PAYMENT**

Payment of the above sums shall be made according to the Contract Documents, and upon certification of satisfactory completion of said work (or percentage) by the County. A ten percent (10%) retainage shall be withheld by the County until all work is completed by Contractor to the satisfaction of the County.

#### **ARTICLE 5: MISCELLANEOUS PROVISIONS**

**5.1** Notwithstanding any provision to the contrary, any dispute arising under this contract shall be adjudicated in the Hart County Superior Court.

**5.2** Contractor shall not assign this contract or any amount payable hereunder or sublet the whole or substantially the whole of this Contract without prior written consent of County. Contractor shall disclose to County the names of all persons with whom it has or intends to contract on said Work.

**5.3** Contractor shall promptly repair or remove and replace any portion of the work deemed unsatisfactory by the County.

#### **ARTICLE 6: TERMINATION**

The Contract may be terminated by the County at any time should the Contractor fail to perform the work in a satisfactory manner.

#### **ARTICLE 7: INSURANCE AND INDEMNITY**

**7.1** At the time of execution of this contract and prior to engaging in the work, Contractor shall maintain at its own expense and provide to the County Administrator proof of the following insurance, insuring the Contractor, its employees and agents, which insurance shall be placed with insurance companies rated at least A+ by Best's Key Rating Guide and shall incorporate a provision requiring the giving of written notice to County at least thirty (30) days prior to cancellation, non-renewal or material modification of any such policies:

- (1) At least the minimum statutory workers' compensation insurance required by Georgia law.
- (2) Comprehensive general liability insurance in the amount of one million dollars (\$1,000,000.00).



(3) All comprehensive general coverage shall show the Board of Commissioners as an additional insured.

7.2 Contractor hereby agrees to indemnify, defend and hold County, its agents, employees or designees harmless from all losses, claims, liabilities, injuries, damages and expenses, including attorney's fees that County may incur by reason of any injury or damage sustained by any person or property arising out of Contractor's performance of this Contract.

7.3 Not Used

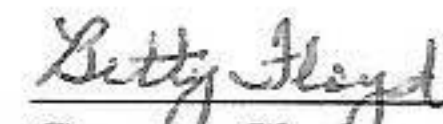
7.4 CONTRACTOR shall furnish at all times in all phases of construction qualified key personnel including, but not limited to, operators, laborers, one foreman, plus sufficient trucks and drivers. Contractors may assign only one crew at a time to county work, unless prior approval is obtained from the County.

This Agreement is entered into as of the day and year first written above.

**COUNTY:**

HART COUNTY BOARD OF COMMISSIONERS

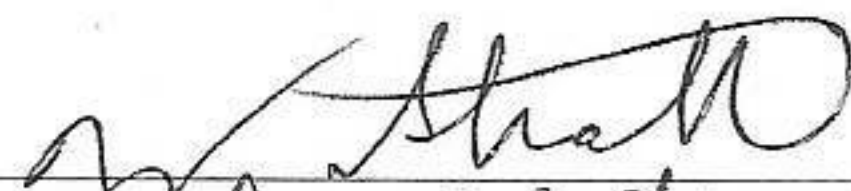
By:   
Marshall Sayer, Chairman

Attest:   
Assoc. County Clerk  
(Seal)



**CONTRACTOR:**

Stratton and Sons Contracting, Inc., Inc.

By:   
Title: President

Attest:   
Secretary (Seal)

RESOLUTION OF THE

HART COUNTY BOARD OF COMMISSIONERS

BE IT RESOLVED by the Hart County Board of Commissioners as follows:

At the meeting held on the 25<sup>th</sup> day of February, 2025 the Board of Commissioners entered into closed session for the purpose of discussing personnel, real estate acquisition and litigation matters. At the close of the discussions upon this subject, the Board did vote by a vote of 5 to 0 to re-enter into open session and herewith takes the following action in open session:

1. The actions of the Board and the discussions of the same regarding the matter set forth for closed session purposes are hereby ratified.
2. Each member of this body does hereby confirm that to the best of their knowledge, based upon the advice of the County Attorney, who was present during said closed session, that the subject matter of the meeting was devoted to matters within the exceptions provided by law, and that the specific relevant exceptions are the subject matters as set forth above.
3. The Chairman of the Board is hereby authorized and directed and pursuant to this Resolution shall execute an affidavit, with full support of the members of this Board, in order to comply with O.C.G.A. § 50-14-4(b).
4. The affidavit shall be included and filed with the official minutes of the meeting and is set forth below.

AFFIDAVIT AS REQUIRED UNDER O.C.G.A. § 50-14-4(b)

Personally appeared before the undersigned attesting officer, duly authorized to administer oaths, Chairman, who, after being duly sworn, deposes and on oath states the following:

1. I was the Chairman of a meeting of the Hart County Board of Commissioners held on the 25<sup>th</sup> day of February, 2025
2. The subject matter of the closed portion of the meeting which was closed for the purposes of discussing personnel, real estate acquisition and litigations matters as allowed by O.C.G.A. § 50-14-2 and § 50-14-3, was devoted solely to matters within those exceptions and as provided by law.
3. This affidavit is being executed for the purpose of complying with the mandate of O.C.G.A. § 50-14-4(b) that such an affidavit be executed.

This 25<sup>th</sup> day of February, 2025.

  
Marshall E. Sayer, Chairman

Sworn to and subscribed before me

This 25<sup>th</sup> day of February 2025

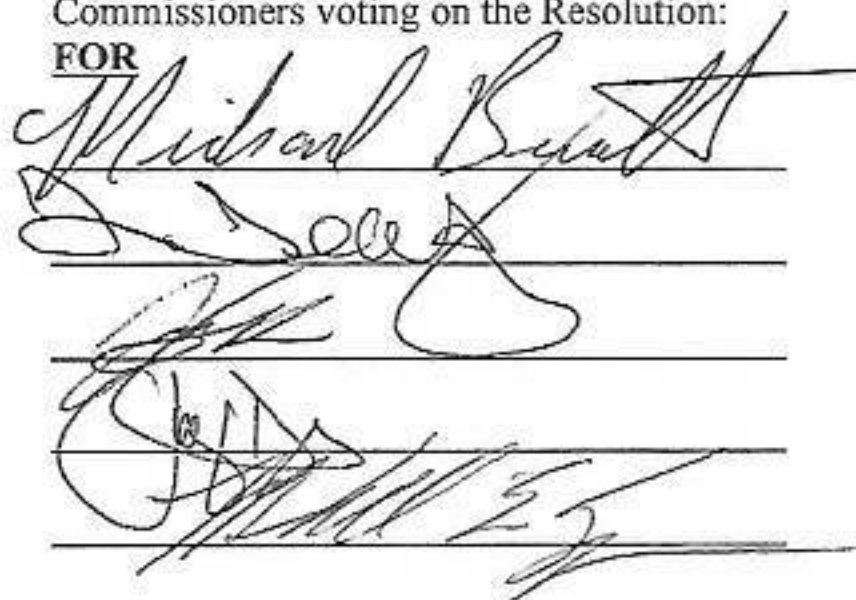
  
Notary Public, Hart County, Georgia

My commission expires: 6/7/27

Commissioners voting on the Resolution:

FOR

AGAINST



\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Absent from the meeting:

\_\_\_\_\_

  
Betty Floyd, Associate County Clerk