



Capitol Connection E-Newsletter- July 2015

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Don't Forget! Save the Date for Policy Committee Meetings

ACCG Policy Committee Meetings begin next month, so be sure to mark your calendars and save the date for the meeting(s) you wish to attend. Policy committee meetings allow county officials to discuss policy issues they feel should be included in the County Platform, the document that guides ACCG's legislative advocacy efforts.

The meetings will begin on August 18 and run through September 2 (*please monitor the ACCG website for any changes and/or updates). Each meeting will take place from 10 a.m. – 2 p.m. with lunch provided at 12 p.m. In addition, all meetings are equipped with webinar capacity allowing attendees to tune in remotely.

Click [here](#) to view this year's meeting schedule.

Any questions or concerns regarding the meetings may be directed to ACCG Legislative Policy Coordinator Ines Owens at (404) 522-5022 or iowens@accg.org.

Register for the 2015 Legislative Leadership Conference

The 2015 Legislative Leadership Conference will be here before you know it! Join ACCG, state leaders, and your county colleagues on October 7 – 9 at the Jekyll Island Convention Center in Glynn County for this year's conference. Attending county officials will have the opportunity to enjoy the scenic views of Georgia's coast while engaging in legislative advocacy discussions and completing training courses in the ACCG Lifelong Learning Academy.

Click [here](#) for more information.

The tentative detailed agenda is currently available and can be accessed [here](#).

ACCG Webinar on Cell Tower Siting Set for August 4

ACCG will host a webinar on Tuesday, August 4 on the topic of cell tower siting from 9 a.m. – 10:30 a.m., that will provide members with a better understanding of federal and state laws/regulations governing cell tower siting, recent changes to those laws, recent case law, and how to shape effective local ordinances and decision making in the cell tower/equipment siting process.

There will be three presentations from former Cobb County assistant attorney Joseph B. Atkins, attorney at law; David C. Kirk, FAICP, partner at Troutman Sanders LLP, with a background in representing wireless companies on cell tower siting issues and litigation; and ACCG Associate Legislative Director Todd Edwards.

An overview of the topic of discussion will be provided through a power point presentation and webinar attendees will have the opportunity to ask questions at the end.

Click [here](#) to register.

Please contact ACCG Legislative Policy Coordinator Ines Owen at (404) 522-5022 or iowens@accg.org if you have any questions.

Georgia DNR Board Adopts New Drought Management and Water Efficiency Rules

On June 24, the Georgia Department of Natural Resources adopted new rules for drought management and water supply efficiency. Both of these rules will impact and likely require action of Georgia's local governments operating water systems in the areas of drought declaration, mandated drought management strategies, leak detection and repair, and overall water utility management. Though several of ACCG's concerns were addressed during the rule making process, ACCG and the Georgia Municipal Association jointly submitted official comments outlining several issues which remained in the rules (see joint comments [here](#)).

To view the new Drought Management Rule, please click [here](#).

To view the new Water Supply Efficiency Rule, please click [here](#).

Contact ACCG Associate Legislative Director Todd Edwards with any questions regarding this information. He can be reached at (404) 522-5022 or tedwards@accg.org.

Georgia Supreme Court Rules on Marshland Buffers

On June 15, the Georgia Supreme Court ruled in favor of Grady County in a marshland buffer case, reversing the court of appeals. At issue was whether the county had to honor marshland buffers while building a lake and the interpretation of OCGA §12-7-6 (b) (15) (A) which states: *“There is established a 25 foot buffer along the banks of all state waters, as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave*

action". The Court held that there is no buffer if there is no wretched vegetation. In other words, the buffer exists along state water in places where vegetation has been wretched from the bank by streamflow or wave action.

This decision does not affect coastal marshland buffers, which were addressed by SB 101 during the 2015 legislative session, but applies to all other state wetlands. The net effect in both cases is that buffers will be enforced in Georgia as they always had been prior to April 2014, with the exception that the rules for coastal marshlands have been clarified by SB 101.

To see the Supreme Court's decision, please click [here](#).

Register for the 10th Annual Georgia Environmental Conference

The 10th Annual Georgia Environmental Conference will take place on August 26 – 28 at the Jekyll Island Convention Center in Glynn County. The Georgia Environmental Conference is the state's largest, most comprehensive and diverse educational opportunity regarding environmental issues. Over the course of the three-day event, environmental professionals will have the opportunity to exchange knowledge and share ideas and concerns in Georgia and across the Southeast region.

More information can be found [here](#).

U.S. Department of Labor Issues Notice of Proposed Rulemaking for Overtime Regulations

On June 30, the U.S. Department of Labor issued a Notice of Proposed Rulemaking regarding overtime regulations. The notice seeks to update the regulations governing which executive, administrative and professional employees are entitled to the Fair Labor Standard Act's (FLSA) minimum wage and overtime pay protections. It focuses primarily on updating the salary and compensation levels needed for white collar workers to be exempt. Specifically, the Department proposes to:

1. Set the standard salary level at the 40th percentile of weekly earnings for full-time salaried workers (\$921 per week, or \$47,892 annually);
2. Increase the total annual compensation requirement needed to exempt highly compensated employees (HCEs) to the annualized value of the 90th percentile of weekly earnings of full-time salaried workers (\$122,148 annually); and
3. Establish a mechanism for automatically updating the salary and compensation levels going forward to ensure that they will continue to provide a useful and effective test for exemption.

The public comment period is now open and online written comments must be submitted before or on Sept. 4, 2015.

Click [here](#) for more information.

You may contact ACCG Legislative Director Clint Mueller at cmueller@accg.org or (404) 522-5022 with any questions.

Georgia Association of EMS Accepting First Responder Grant Applications

The Georgia Association of EMS currently has First Responder/EMTB grant dollars available to fund First Responder/EMTB courses across the state. The grant funding is provided through the Georgia Trauma Network Commission. All 911 zoned EMS providers are eligible though priority will be given to those services willing to quickly complete the course approval requirements and conduct the program within the contract period allowed.

Visit the [Georgia Association of EMS](#) website for more information.

The grant application can be accessed [here](#).

Please contact ACCG Associate Legislative Director Debra Nesbit at dnesbit@accg.org or (404) 522-5022 if you have any questions.

Lowndes County Superior Court Reaches Decision on Section 42 Valuations

On June 23rd, Lowndes County Superior Court Judge Harry Altman issued a Final Order and Declaration in the case of *Lowndes County Board of Tax Assessors vs. Heron Lake II Apartments, L.P., et al*, regarding the constitutionality of O.C.G.A. 48-5-2(3)(B.1) which requires tax assessors to consider rent restrictions when valuing Low Income Housing Tax Credit (Section 42) properties. This case arose out of the passage of House Bill 954 during the 2014 legislative session which added the language in question. The judge ruled that O.C.G.A. 48-5-2(3)(B.1) is unconstitutional for the reason that it violates the Uniformity Clause of the Georgia Constitution. While this order is only binding against those who fall under jurisdiction of the Lowndes County Superior Court, there is anticipation that this case will be appealed to the Court of Appeals.

For questions or other inquiries regarding the assessment of Section 42 properties or the above referenced case, please contact Shaun Adams at sadams@accg.org or 404-589-7824.

Georgia Firefighter Standards and Training Council Proposed Rules

The Georgia Firefighter Standards and Training Council has issued proposed rules. A public hearing on the proposed rules will take place on Tuesday, July 28 at 8:30 a.m. in Bay A of the Georgia Public Safety Training Center in Forsyth/Monroe County. There will also be a GFSTC meeting immediately following the public hearing.

Click [here](#) to review the draft rules as approved by the council on June 22, 2015.

Greene County Manager Byron Lombard, who also serves as a fire chief, has reviewed the proposed rules and has offered comments which can be viewed [here](#). Lombard is willing to

discuss any concerns you may have regarding the proposed rules. You may contact him at 706-817-6600.