

Ex-county assessor speaks out on Yonah

Williams says county decided in '00 not to tax properties because of risk liability

By **CARLOS GALARZA**
carlos@dailyjm.com

WALHALLA — Lake Yonah property leaseholders battling Oconee County over back taxes they claim are unfair, may have found an ally to help them with their fight against local government.

Retired county employee Roger Williams, who was Oconee's Assessor from 1988 to 2004, could play a pivotal role in helping Lake Yonah leaseholders in their claims that they should not be liable for back taxes on their properties.

Williams told the Daily Journal/Messenger that high-ranking county officials determined sometime in 2000 not to get involved with taxing Lake Yonah properties because of the great liability risk involved in doing so.

Lake Yonah is owned by Georgia Power, which leases out lots along the lake's shore that touches parts of Georgia and South Carolina. The leaseholders say that South Carolina already taxes Georgia Power for the property.

Current County Assessor Leslie Smith last year sent 2008 tax bills to 21 leaseholders on Oconee's side of Lake Yonah, along with back taxes owed for 2005, 2006 and 2007. Smith says he is merely following

the law.

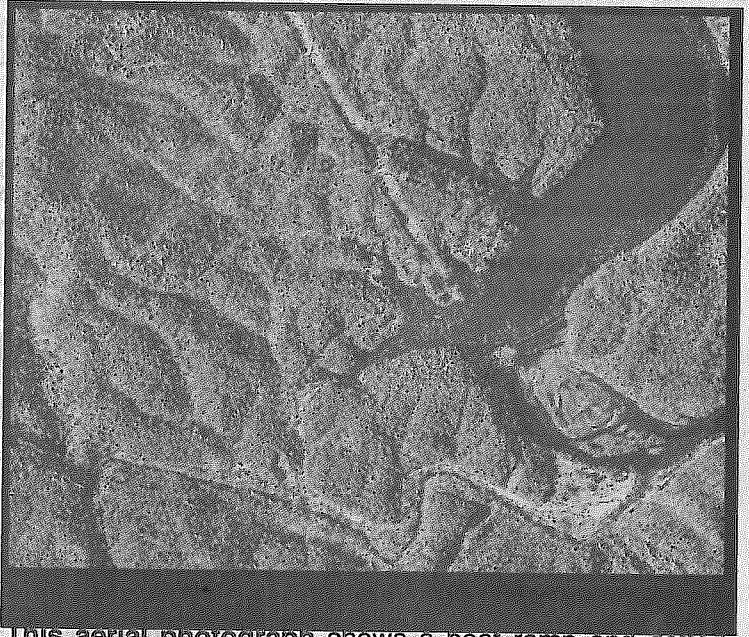
Tax bills ranged from \$1,000 to more than \$6,000 for each of the past four years. Most leaseholders owe more than \$10,000 and some more than \$20,000.

However, according to Williams, discussions he had in 2000 and 2001 with then Oconee County Supervisor Harrison Orr and Planning Director Tom Hendricks ended with everyone agreeing it would be too risky to tax the remote properties that are only accessible by boat. Oconee no longer has an elected supervisor, but rather an appointed administrator.

Williams said the thinking was that if they taxed those properties and any of the people living there ever had any medical, fire or law enforcement emergency that the county could not respond to in a timely manner, that the chances of getting sued would be great.

"It was all about liability," said Williams, while explaining why he never assessed taxes to Lake Yonah properties.

Williams said none of the discussions with other county officials related to the non-taxing policy taken regarding Lake Yonah were written down or recorded. Williams said he would be willing to testify of his firsthand knowledge on behalf of Lake Yonah families in any legal forum.



This aerial photograph shows a boat ramp and dotted properties on the Oconee County side of remote Lake Yonah.

Contacted recently at his Walhalla home, Orr said he does not recall any specific discussions concerning Lake Yonah. Hendricks, who also was a former Oconee County Administrator, could not be reached for comment.

The issue already is winding through normal administrative review.

County Administrator Dale Surret said Friday the county would appeal an assessment board hearing pertaining to one of the 21 Lake Yonah cases. In that case, the board ordered back taxes be dropped. The county's appeal now goes before an Administrative Law

Judge (ALJ).

"We expect that the other 20 will appeal to the appeals board and the county intends to appeal to the ALJ if the outcome is the same as the first," Surret said.

Tony Tecson, a Westminster resident who holds a lease for a lot at Lake Yonah, said all he and other leaseholders want is to be treated fairly by the county.

"We've never been opposed to paying taxes," Tecson said Friday.

However, he added that it's not fair to be taxed a full amount because leaseholders do not receive county services.