

**HABERSHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
6:00 P.M., MONDAY, OCTOBER 18, 2021
HABERSHAM COUNTY COURTHOUSE
JURY ASSEMBLY ROOM
295 LLEWELLYN STREET
CLARKESVILLE, GA 30523**

A meeting of the Habersham County Board of Commissioners was held on Monday, October 18, 2021 at 6:00 P.M. in the Jury Assembly Room of the Habersham County Courthouse. Present were Chairman Dustin Mealor, Commissioner Bruce Harkness, Commissioner Bruce Palmer, Commissioner Jimmy Tench, Interim County Manager Alicia Vaughn, County Attorney Donnie Hunt, County Clerk Brandalin Carnes, department heads, staff, members of the media and public.

Chairman Mealor called the meeting to order at 6:00 p.m.

Commissioner Harkness lead the invocation.

Commissioner Harkness lead the pledge of allegiance.

ADOPTION OF AGENDA

Motion made by Commissioner Harkness, seconded by Commissioner Palmer and voted unanimously to adopt the agenda with the amendment that Clarence Whittington be removed from Public Comments as he informed the County Clerk prior to the meeting that he would not be appearing.

PRESENTATIONS/ANNOUNCEMENTS:

- a. County Offices Closed on November 11th for Veteran's Day Holiday (Landfill Remains Open)
- b. November 15th Board of Commissioners Meeting Rescheduled for November 18th.

PUBLIC HEARINGS:

By permitting opponents or speakers to present public comment to the county, the county does not acquiesce or waive its ability to challenge to the legal standing of the speaker(s) in the event of litigation.

- a. Consider/Approve Rezoning of Habersham Hills Extension: Planning and Development
Director Mike Beecham presented to the board Map Amendment Application Z-21-03 in which Omega Properties and Development has applied for a map amendment to change the land use district of a 16.64 acre tract at the intersection of Rockford Creek Rd and Hollywood Hills Road from LI, Low Intensity District to HI, High Intensity District for development as RV/boat storage and self-storage facility (Map 128 Parcel 061C). Mr. Beecham informed the Commission that only one person had attended the Planning Commission meeting and that citizen requested that road access on Rockford Creek Road be limited. The Planning Commission is forwarding the application to the board with the recommendation of approval with the condition that the business driveway be restricted to the Hollywood Hills Rd side only, that a 25 feet undisturbed buffer be maintained alongside Rockford Creek Rd side to shield the commercial use from the residential properties, and that the use of the property be restricted to RV/boat storage and self-storage.

Bruce Holden with Omega Properties & Development spoke on behalf of himself and his partners Jeff and Jared Brooks in support of the amendment. He stated that they have several of these businesses already in the county and they have not caused any problems. They feel the buffer and the road restrictions are appropriate and accept all of the conditions put forth by the Planning Commission.

Matthew Holbrooks spoke in opposition to the amendment. He stated his concerns regarding his property value decreasing by what he says would be 10-15% according to studies. He feels that Hollywood Hills Rd and the intersection turning into Hollywood Hills Rd are unable to support RV's due to their unwieldy size. He feels that the relative gain from an RV/Boat/Self-Storage facility is not greater than the risks involved to property values and traffic safety.

Motion by Commissioner Harkness, seconded by Commissioner Palmer and voted unanimously to approve the request as recommended by the Planning Commission.

PUBLIC COMMENTS: None

~~a. —Clarence Whittington: Request for County Maintenance of Rocky Spring Rd~~

CONSENT AGENDA:

Motion by Commissioner Palmer, seconded by Chairman Meador and voted unanimously to approve the consent agenda.

- a. Consider/Approve the Minutes of September 27, 2021 Work Session
- b. Consider/Approve the Minutes of September 27, 2021 Meeting
- c. Consider/Approve the Minutes of September 27, 2021 Executive Session
- d. Consider/Approve Affidavit 2021-05
- e. Consider/Approve Purchase of six (6) 2021/22 Dodge Chargers for Sheriff's Department.
- f. Consider/Approve Acceptance of GEMA Grant for Purchase of Bomb Dog Vehicle
- g. Consider/Approve Budget Adjustment for Magistrate Court
- h. Consider/Approve Transit Title VI Plan
- i. Consider/Approve Habersham County Transit Grant Application FY23
- j. Consider/Approve Master Services Agreement for Enterprise Content Management System (MCII & Laserfiche Avante)
- k. Consider/Approve Alcohol License Renewal/Application for:
 - 1. Clarksville Chevron located at 1384 Tom Born Rd- Malt Beverage and Wine Package Sales at the Property.

2. Nacoochee Valley Grill, LLC located at 6725 Hwy 17- Sales of Malted Beverages, Wine & Distilled Spirits for Consumption on Premises.
3. Chicago's Pizza Inc. located at 879 Historic Hwy 441N- Sales of Malted Beverages, Wine & Distilled Spirits for Consumption on Premises.
4. A to Z Grocery located at 1732 Crane Mill Rd- Malt Beverage Sales at the Property.
5. Circle K Store located at 5000 Talmadge Dr- Malt Beverage and Wine Package Sales at the Property.
6. One Stop located at 2027 Camp Creek Rd- Malt Beverage and Wine Package Sales at the Property.
7. The Orchard Golf and Country Club, LLC- Sales of Malted Beverages, Wine & Distilled Spirits for Consumption on Premises.

REPORTS:

- a. Manager's Report: Interim County Manager Alicia Vaughn reported that Public Works Director Derick Canupp has put in his resignation and will be leaving mid-November to work for White County as their Public Works Director. She went on to wish him well in his endeavors. Mrs. Vaughn informed the Commission that she has setup a workshop through LeaderGov on October 25th for the Department Heads to help them in developing their leadership skills. She invited the Commission to participate if they wish. Mrs. Vaughn reminded the Commission of the Q&A session that they will be holding at the Senior Center Open House on October 26th and informed them that over 100 participants are signed up to attend. She also informed them of the E-911 Fun Fest occurring on October 21st. Mrs. Vaughn went over the status of several capital projects, including the Radio Project, new Emergency Services headquarters, and new Animal Control building. She updated the Commission that, though the calls they receive are still high, Emergency Services is reporting that COVID numbers are down by 85-90%. Also, finance is in the final stretch of the audit and hope to have a presentation available at the December meeting. Finance has been extremely busy as the deadline for ARP applications is October 31st.
- b. Department Report: Public Works Director Derick Canupp informed the Commission that the LMIG 2021 Resurfacing project is about 25% complete. Heavy rains have delayed the project's completion, but they expect it to be done by the end of October. The heavy rains from the week of October 4th also resulted in seven roads being washed out and several downed trees that had be cleared from roadways. The Road Department continue to work on the safety improvement project for replacing signs and pavement marking on 16.71 miles of county roads. This \$87,028 project is 70% funded by state money. County crews completed the replacement of the two 84" CMP pipes on Chase Rd a day earlier than expected and traffic is back open on the road. The Road Department staff have been working on implementing a new asset management software which Mr. Canupp says has already proven itself extremely useful in maximizing life of infrastructure. Regarding the landfill, Mr. Canupp informed the Commission that 224,000 gallons of leachate was hauled off in the month of July. More would have been hauled but the plant can only treat 10,000 gallons a day. Commissioner Harkness asked about the life expectancy of the current landfill. Mr. Canupp replied that the last calculations that were done estimated 2043, however in his opinion the county should start looking into a transfer station and a robust recycling facility sometime in the next 5 to 7 years as he believes the life expectancy is closer to 15 years of use left. Mr. Canupp informed the Commission that the avigation easement and acquisition project is still ongoing, however the appraisal and closings on the last two properties are at a standstill due to difficulty with finding GDOT prequalified appraisers that have the specialized skills needed to determine these valuations. Staff is working on finalizing the 5-year CIP which is due to GDOT on November 30th. This will be put before

the Board of Commissioners for approval prior to submission. Members of the Commission thanked Mr. Canupp for his service to the county and wished him well in his employment with White County.

APPOINTMENTS:

HOSPITAL AUTHORITY- 3-year term

1. Teri Newsome- Term Expires 6/30/2021- District 5 Appointment
Tabled at June, 21, 2021 meeting until November 18, 2021 meeting

DEVELOPMENT AUTHORITY- 6-year term

1. R. Allen Smith (Resignation)- Term Expires 2/17/2022- Commissioner Tench's Appointment

Motion made by Commissioner Tench, seconded by Chairman Meador and carried 3-1, with Commissioner Palmer dissenting, to appoint C. Allen Whitener to the Development Authority.

BOARD OF ELECTIONS & REGISTRATION- 4 year term

1. Kathy Nicholson- Term Expired 9/30/2021- At Large Appointment

Motion made by Commissioner Harkness, seconded by Commissioner Tench and carried 3-1, with Commissioner Palmer dissenting, to re-appoint Kathy Nicholson to the Board of Elections & Registration.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

ADDITIONAL COMMENTS

Commissioner Harkness stated that the county needs to investigate refinancing the current hospital bond as quickly while interest rates are low to save the county taxpayers as much money as possible. He believes that the county can save 5-10 years of payments by doing this. Would like to see about having a special called meeting for the purpose of a work session to discuss this.

Commissioner Palmer reminded everyone that the elections will be occurring on November 2nd and encouraged the public, especially those in district 5, to get out and vote. He stated that at this point the voter turnout has been low. Commissioner Palmer also stated he has received numerous phone calls regarding taxes increasing next year. He informed everyone that this is a rumor and that it would not be possible to even know this yet as next years budget is not yet available.

Commissioner Meador reminded everyone that tomorrow (Tuesday, October 19, 2021) the District 5 Forum will be held at 7 p.m. in the Cornelia Community House. This is a great opportunity to hear from the candidates for the district 5 Commission seat.

EXECUTIVE SESSION: Personnel, pursuant to O.C.G.A § 50-14-3(b)(2); Litigation, pursuant to O.C.G.A §50-14-2.

Motion by Commissioner Mealor, seconded by Commissioner Harkness to enter into executive session for purpose discussing Personnel, pursuant to O.C.G.A § 50-14-3(b)(2); and Litigation, pursuant to O.C.G.A §50-14-2 at 6:56 P.M.

ROLL CALL VOTE:

Commissioner Harkness- Yea
Commissioner Tench- Yea
Commissioner Mealor- Yea
Commissioner Palmer- Yea

MOTION PASSES

Reconvened into executive session at 7:05 P.M.

Present: Chairman Dustin Mealor, Commissioner Bruce Harkness, Commissioner Bruce Palmer, Commissioner Jimmy Tench, County Attorney Donnie Hunt, Interim County Manager Alicia Vaughn and County Clerk Brandalin Carnes.

Motion by Commissioner Harkness, seconded by Commissioner Mealor and unanimously voted to return from executive session at 7:55 p.m.

County Attorney Donnie Hunt reported that all matters discussed in Closed Session were limited to those matters allowed by the laws of the State of Georgia and asked for a motion authorizing the Chairman to make such a representation under oath on the affidavit.

Motion by Commissioner Mealor, seconded by Commissioner Harkness and voted unanimously to adopt the representation authorizing such an affidavit per the Attorney's recommendation.

ADJOURN: 7:57 p.m.

Motion by Commissioner Harkness, seconded by Commissioner Tench and voted unanimously to adjourn at 7:57 p.m.

Respectfully Submitted,

By: _____
Chairman Dustin Mealor

Attest: _____
County Clerk Brandalin Carnes