

**HABERSHAM COUNTY BOARD OF COMMISSIONERS
MEETING MINUTES
6:00 P.M., MONDAY, APRIL 18, 2022
HABERSHAM COUNTY COURTHOUSE
JURY ASSEMBLY ROOM
295 LLEWELLYN STREET
CLARKESVILLE, GA 30523**

A regular meeting of the Habersham County Board of Commissioners was held on Monday, April 18, 2022 at 6:00 p.m. in the Jury Assembly Room of the Habersham County Courthouse located at 295 Llewellyn Street, Clarkesville, GA 30523.

Present: Chairman Bruce Palmer; Vice Chairman Bruce Harkness; Commissioner Dustin Mealor; Commissioner Ty Akins; Commissioner Jimmy Tench; County Manager Alicia Vaughn; County Attorney Ralph Taylor; County Clerk Brandalin Carnes; Individuals from the Media and Public.

Chairman Palmer called the meeting to order at 6:06 p.m.

Commissioner Tench lead the invocation.

Commissioner Mealor lead the Pledge of Allegiance.

ADOPTION OF AGENDA

Motion by Commissioner Harkness, seconded by Commissioner Akins and voted unanimously to adopt agenda with the following changes:

Addition of item e. to Public Comment:

- e. Carl Blackburn: Opposition to MOU for Old Courthouse

Removal of item b. from Unfinished Business:

- b. Consider/Approve MOU between Habersham County, the Development Authority of Habersham County, the City of Clarkesville and Lew Oliver for Downtown Redevelopment Plan.

Addition of Item c. to New Business:

- c. Consider/Approve the 2022 Insurance Renewal Recommendations.

Removal of item b. and d. from Public Comment:

- b. Christine Tekippe: Support of Resurfacing of Tennis Courts for Pickleball
- d. Shad Hill & Jeff Higgins: Alternative Plan for Old Courthouse

PRESENTATIONS/ANNOUNCEMENTS:

- a. **Honors Graduate Recognition:** The Commissioners recognized the outstanding academic achievement of the following honors graduates from Habersham Central High School and Mountain Education Charter School who were present at the meeting: Maria Franco; Melanie Forrester; Carson Michael; Gunnar Bramlett; Janya Brown; Rylee West; Grace Moore; Madison Almond; Savannah Sutton; Courtinee Sisk; Karabeth Daniel; Caleb Rogers; Brandon Rivera; Logan Bennett; Emily Paillette; and Kayla Spurlock.
- b. **Employee Recognitions:**
 - a. January- Mason Hall (Senior Center)
 - b. February- Eric Luders (Sheriff's Office)
 - c. March- Patricia Smith (Human Resources)
- c. **United Way:** Darrin Johnston- Mr. Johnston was unable to attend this meeting to present and asked that he be rescheduled for the upcoming May 16th Board of Commissioners meeting.

PUBLIC HEARINGS: NONE

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.

During this time, members of the public are invited to address the Commission on any Agenda item other than those listed as Public Hearing. If you signed up to speak at the meeting tonight, you will have three minutes. If your name is listed on the Agenda, you will have five minutes.

PUBLIC COMMENTS:

- a. Peggy Fortson: Support of Resurfacing of Tennis Courts for Pickleball
- b. ~~Christine Tekippe: Support of Resurfacing of Tennis Courts for Pickleball~~: Ms. Tekippe scheduled but not present for public comment. Item was removed during adoption of the agenda.
- c. Paula Wonders: Opposition to Tennis Court Resurfacing and Support of Construction of New Pickleball Complex.
- d. ~~Shad Hill & Jeff Higgins: Alternative Plan for Old Courthouse~~: Mr. Hill & Higgins were not present for public comment having already shared their thoughts during the work session held immediately prior to this meeting. Item was removed during the adoption of the agenda.

- e. **Carl Blackburn:** Opposition to MOU with Development Authority for Old Courthouse. Opposition to MOU for Old Courthouse. Mr. Blackburn believes that the courthouse alone without the property is worth at least 1.3 million if not more. He believes that this property should to highest bidder and used to pay back cost of building the new administration building as originally intended.
- f. **Bobby Kilgore:** Signed up for public comment at the meeting but wasn't present when called.
- g. **Doug McDonald:** Opposition to MOU with Development Authority for Old Courthouse. Believes a new appraisal should be requested to know the properties current value prior to any decision being made. Against any type of agreement that would give any one individual a preference over another regarding who gets the property and against giving the property away without the county receiving adequate compensation.
- h. **Franklin Brown:** Support of MOU with Development Authority for Old Courthouse. Mr. Brown states he has run into similar situation while serving on the Clarkesville City Council in regard to restoration of the Clarkesville square. He explained the limitations that are put on city and county governments in regards to transferring property as opposed to the wider variety of options to be had by a Development Authority.
- i. **Bob Guthrie:** Opposition to MOU with Development Authority for Old Courthouse. Mr. Guthrie brought up concerns with the previous disposition of the Hills Crossing property. He wants to make sure the money initially spent by the taxpayers for the purchase of county property comes back to the county, not the development authority should property be sold. He is concerned with any change that would convert downtown Clarkesville from a tourist to a residential area as it is not designed to handle this (lack of playgrounds/parks, grocery stores, etc). He states that the county is quickly outgrowing the new administrative building and that if nothing else, the old courthouse could be held for future growth.
- j. **Dale Green: Timber Ridge Subdivision-** Mr. Green states that too much focus has been placed on funding for recreational sports when the county road system is in such bad shape. He also wanted to complain regarding his subdivisions cul-de-sac being used as a place to play by neighborhood kids and asked what could be done by the county? Code Enforcement officer Kurt McGugan stated that this was not a county code violation.
- k. **Jeff Caudell:** Opposition to Tennis Court Resurfacing and Support of Construction of New Pickleball Complex.

CONSENT AGENDA:

Motion by Commissioner Akins, seconded by Commissioner Harkness and voted unanimously to approve the consent agenda.

- a. Consider/Approve Minutes of March 21, 2022 Work Session
- b. Consider/Approve Minutes of March 21, 2022 Regular Meeting

- c. Consider/Approve Tax Affidavit 2021-14
- d. Consider/Approve Ratification of Lease Renewal with Ethel Jones for Ivy Mountain Tower Property
- e. Consider/Approve Ratifying Purchase of Culvert Pipe Supplies for Road Department
- f. Consider/Approve Updates to Transit Drug and Alcohol Policy
- g. Consider/Approve Renewal of Mutual Aid Agreement with Cornelia Fire Department for Airport

REPORTS:

- a. **Manager's Report:** Alicia Vaughn- Finance held departmental budget meetings at which the various departments, elected officials and community organizations presented their requests for funding for the upcoming fiscal year. They are now working on pulling all the numbers together to make projections about the FY 2023 budget. This should be completed in May and will be presented to the Commissioners. The Georgia Trauma Commission recently awarded \$13,000 in grant funding to Habersham County Emergency Services for equipment. Emergency Services has also been working on acquiring a safety grant to place AED machines in all of the county facilities and have been inspecting and providing maintenance to the current AED machines. Habersham County Animal Care and Control had 27 kittens born over the weekend. Human resources has been working on insurance renewals, open enrollment, the pay study and onboarding poll workers who are going from contract employees to being on the payroll. Interviews have just recently been completed for the open Emergency Services Director position and a hiring decision will be made soon. Mrs. Vaughn informed the Commission that Mr. William Regan is the newly hired Airport Manager. The application for the state ARP grant for finishing out the top floor of the new courthouse is still pending. The RFP's for the architectural design of the new Animal Control and Fire EMA facilities were completed, reviewed and awarded by the Commission last month and the kickoff for the design phase of these projects is next week. Work is still being done on acquiring the necessary land and easements for the placement of towers for the radio project. Once this is completed the timeline for the infrastructure buildout is 18 months. Much of the \$8 million in local ARP funds will go towards paying for this radio project. The county is seeking to hire a dedicated grant writer to help secure more grant funding for projects, but few qualified people are applying. It may be necessary to hire someone with accounting experience for in house grant writing training.
- b. **Financial Report:** Tim Sims reviewed the 3rd quarter financials with the Commission. March year-to-date represents 75% of the fiscal year. Therefore, expenditures should be less than or equal to 75% of the FY 222 budget and revenues should be at 75% or more. At this time the general fund revenues collected are at 87% of the total budget revenues which is above expectations, and the expenditures are at 75% which is in line with expectations. He went on to state that 95% of all tax revenue has been collected at this time. The remaining 5% that remains uncollected is the motor vehicle tax for individuals whose birthdays have not yet passed.

Building permits, fines and forfeitures and hotel/motel taxes are up this year. The state enacted a new hotel/motel tax legislation where Airbnb type accommodations are subject to the tax as well which has brought in quite a bit of extra money. The first responder bonuses were finally received from the state last month and have been paid out. In regard to SPLOST VII, collections are trending 10% over what was expected. Collections are 18.5% over this time last year, which is due greatly to the online taxes being received. Mr. Sims informed the Commission that this will be a hard year for the budget due to the inflation being experienced.

- c. **Recreation Board Report:** Kurt Cooper- Swim lessons are being offered for April and May. The Aquatic Center hosted 6 swim meets with 400 participants from 20+ schools and observers. Friends of the pool donated funds for two digital LED clocks, which was the final donation before closing the account. There is a major uptick in pool usage now that the resident fee has been eliminated for pool. Over 160 people utilize the pool on Tuesday the previous week. A junior lifeguard camp is being offered the week of June 6th. The cost for the 20 hour class is \$125 and covers such essentials as First Aid and CPR certification. Registration is already occurring for fall football and cheerleading and summer/spring basketball. Gymnastics classes and programs have seen an uptick in participation. Registration is opening up for the summer youth camp that will be hosted from June 6th through August 4th. The cost of replacing the backstop that was damaged from the snowstorm Izzy has been reimbursed by insurance and the batting cages are going to be restored as well. The scholarship golf tournament that was postponed last September has been rescheduled for May 3rd. Final approval has been received from GEFA to move forward with issuing the RFP for the aquatic center solar panels.
- d. **Landfill Department Report:** Laurie Church- The landfill staff, comprised of 9 full time and 3 part time employees, manage the SR-13 landfill, the closed Pea Ridge landfill and two recycling centers. Keeping up with processing the leachate, the water that comes in contact with the solid wastes in a landfill, remains a constant battle. The landfill averages 4,400 gallons per day of leachate. The newest Rochem plant that was built on November 16, 2016 has more than paid for itself. At the time it was built it cost \$504,000 and since that time it has treated 10,955,743 gallons of leachate. If the landfill had to haul this amount of leachate at the current rate of \$1400 per load the cost would have been \$2,738,935. In this fiscal year, the City of Lula has taken 57,000 gallons of rejects at \$6,840. The City of Demorest is now accepting leachate again and has taken 38,500 gallons for \$2,695. An additional 2,296,000 gallons has been hauled by Curt's to Ellijay at a cost of \$574,000. Ms. Church stated that the county needs to look into expanding recycling services to try to make the landfill last longer as it is filling up at a much faster rate than was originally projected. Recycling doesn't make money, but it saves landfill space which will help the county in delaying the issue of constructing and paying for a new landfill.

APPOINTMENTS:

DEVELOPMENT AUTHORITY- 3-year term

C. Allen Whitener (Term Expiration) 2/17/2022- Commissioner Tench's Appointment

Motion by Commissioner Tench, seconded by Commissioner Mealor and voted unanimously to table this agenda item until the May 16th Commission meeting.

UNFINISHED BUSINESS:

- a. Consider/Approve Award RFP 2022-008 for Pickleball/Tennis Court Resurfacing

Motion by Commissioner Palmer, seconded by Commissioner Akins to approve the award of RFP 2022-008 for Pickleball/Tennis Court Resurfacing to Signature Tennis Courts Inc. of Woodstock, GA in the amount of \$88,738.00. Motion carries 3-2 with Commissioner Mealor and Tench dissenting.

- ~~b. Consider/Approve MOU between Habersham County, the Development Authority of Habersham County and City of Clarkesville and Lew Oliver for Downtown Redevelopment Plan.~~ – Item removed during adoption of agenda.

NEW BUSINESS:

- a. Consider/Approve Agreement with ProgeneX for Community Paramedicine Lab Testing

Motion by Commissioner Akins, seconded by Commissioner Harkness and voted unanimously to approve.

- b. Consider/Approve Agreement with CBA Tifton for Emergency Services Debt Collection

Motion by Commissioner Mealor, seconded by Commissioner Harkness and voted unanimously to approve.

- c. Consider/Approve the 2022 Insurance Renewal Recommendations

Motion by Commissioner Harkness, seconded by Commissioner Akins and voted 4-1 to approve with Commissioner Mealor dissenting.

ADDITIONAL COMMENTS:

Commissioner Harkness asked that the community keep his family in their thoughts as his beloved aunt Mrs. Joyce Dilworth passed away this morning. He wanted to remind everyone that he is hosting a free beekeeping class on Saturday, April 23. Wanted to clarify comment in the paper in which he referred to Mr. Lew Oliver as a newcomer. He did not mean for the term to be used offensively and he wants everyone to know that he and the county are welcoming.

Commissioner Palmer: Wants to thank everyone for coming and for participating in the meetings. Understands that the public may not always agree with everything they do but he does believe that they try to make decisions based on what is best for the community as a whole both now and into the future.

Commissioners Akins, Mealor and Tench had no additional comments.

EXECUTIVE SESSION: 8:10 p.m. Personnel, pursuant to O.C.G.A § 50-14-3(b)(2); Litigation, pursuant to O.C.G.A §50-14-2; Property Acquisition, pursuant to O.C.G.A §50-14-3 (b)(1).

Motion by Commissioner Harkness, motion by Commissioner Mealor to enter into executive session for the purpose of discussing Personnel, pursuant to O.C.G.A § 50-14-3(b)(2); Litigation, pursuant to O.C.G.A §50-14-2; Property Acquisition, pursuant to O.C.G.A §50-14-3 (b)(1) at 8:10 p.m.

ROLL CALL

Commissioner Akins-yea
Commissioner Harkness-yea
Commissioner Palmer-yea
Commissioner Mealor-yea
Commissioner Tench-yea

MOTION PASSES

Reconvened in executive session at 8:15 p.m.

Present: Chairman Bruce Palmer; Commissioners Bruce Harkness, Dustin Mealor and Ty Akins; County Manager Alicia Vaughn; County Attorney Ralph Taylor and County Clerk Brandalin Carnes.

Motion by Commissioner Mealor, seconded by Commissioner Akins and voted 5-0 to come out of executive session at 8:56 p.m.

County Attorney Ralph Taylor 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 Akin, and voted 5-0 to adopt the representation authorizing such affidavit as per County Attorney Ralph Taylor's recommendation.

Motion by Commissioner Mealor, seconded by Commissioner Harkness and voted unanimously to approve the creation of a full time Airport Operations Technician and the budget adjustments for creation of said position.

ADJOURN 9:12 p.m.

Motion by Commissioner Mealor, seconded by Commissioner Akin and voted 5-0 to adjourn at 8:58 p.m.

Respectfully submitted,

By: _____

Commission Chairman Bruce Palmer

Attest: _____

County Clerk Brandalin Carnes