

HABERSHAM COUNTY BOARD OF COMMISSIONERS MEETING
6:00 P.M., MONDAY, NOVEMBER 21, 2022
HABERSHAM COUNTY COURTHOUSE
JURY ASSEMBLY ROOM
295 LLEWELLYN STREET
CLARKESVILLE, GA 30523

The Habersham County Board of Commissioners held a regularly scheduled meeting on November 21, 2022 at 6:00 p.m. in the Jury Assembly Room of the Habersham County Courthouse located at 295 Llewellyn St, Clarkesville, GA 30523.

Present were Chairman Bruce Palmer, Vice Chairman Bruce Harkness, Commissioner Akins, Commissioner Tench, County Attorney Ralph Taylor, County Manager Alicia Vaughn, County Clerk Brandalin Carnes, County Staff, Members of the Media and the Public.

Commissioner Mealor and County Attorney Donnie Hunt was absent from the meeting.

Commissioner Palmer called the meeting to order at 6:05

Commissioner Harkness lead the invocation.

Commissioner Akins lead the pledge.

ADOPTION OF AGENDA

Motion by Commissioner Harkness, seconded by Commissioner Akins and voted unanimously 4-0 to adopt the agenda as presented.

PRESENTATIONS/ANNOUNCEMENTS:

- a. Habersham County's Partnership With AVITA and Receipt of the GA DBHDD 2022 Small Employer of the Year Award for Disability Employment Awareness Month.
- b. Recognition of Former Habersham County Chief Magistrate Judge James Butterworth and Announcement of Portrait Unveiling- Judge Caudell wanted to invite member of the Commission and public to attend the unveiling in the Magistrate Courtroom on Friday, December 2nd at 3:00 p.m. He stressed that no taxpayer money was used in the commission of the portrait.
- c. Proclamation of Farm City Week- Commissioner Akins read the proclamation and presented a signed copy to Farm Bureau representatives Chip Brooks and Cheryl Kowalski
- d. Employee Spotlight for October- Cindy McGrew- Public Works
- e. Employee Spotlight for November- Lauren Long- Grants Coordinator in Finance Department
- f. Recognition of Chairman Palmer's Graduation from the Georgia Academy of Economic Development
- g. Announcement Regarding County Office and Landfill Closures for Thanksgiving Holiday

PUBLIC HEARINGS: NONE

PUBLIC COMMENTS:

- a. Donna Barnett: Junk Yard Nuisances- Mrs. Barnett has lived at her property for 35 years next to her current neighbor who owns a junkyard. She states that in the last few years (since 2019) the amount of vehicles on the property have exploded. She listed a wide range of complaints from vehicles being parked in the right of way to obstruct her view when pulling out of her property to vehicles being parked on her septic tank and her property line markers being destroyed.
- b. Doug McDonald: The Economy, and Other Related Issues- Mr. McDonald stated that he attended the work session for the Commissions October meeting. In that meeting he states that County Manager Alicia Vaughn asked County Attorney Donnie Hunt to investigate a public facilities authority. His opinion is that a public facilities authority is a way to go around the people, float bonds and obligate the county. He wants to encourage the Commission to not implement a public facilities authority. He feels that the citizens have spoken with the defeat of the TSPLOST about not wanting anymore taxes and informed the Commission that a taxpayer's best friend is the ability to recall. Regarding item f. on the agenda "Award of Phase 1 of Airport Hangar Project", he states that as a pilot he feels that the cost of the project is too expensive and will cause hangar rent to double. He doesn't feel that this item went before the Airport Commission.
- c. Carol Lonorgan- Mrs. Lonorgan states that she has been a resident and taxpayer of Habersham County for 17 years and worked in critical care at HMC for 13 years. She states that many years they received no cost-of-living increase. She can only recall one or two times they received a 3% or greater cost of living increase. She feels the salaries that are being paid to some are exorbitant while others are working two jobs and not getting any kind of raise. She feels that leaders of the community should be expected to live in the community.
- d. Larry Shedd- Mr. Shedd states that the citizens of the county have underwent two tax increases and a property reassessment. He is asking that the Commission provide better oversight on spending. He states that Habersham County only has a population of around 45,000 people but spends money like it is Gwinnett County. He feels that the TSPLOST failed because of the tax increases and the peoples lack of trust in the Commission and that they need to do a better job of showing where the money is spent and what they are planning for. He also feels that commercial property needs to be taxed more fairly and that low income and section 8 housing has gotten out of control.
- e. Doug Defoor- Mr. Defoor asked that Bill Dover speak on his behalf. Mr. Dover states that Mr. Defoor has been in business since 1983, well before the current zoning laws. Mr. Defoor's business is grandfathered in and he asks that the matter between Mr. Defoor and his neighbor Ms. Barnett be settled between the individuals privately without Commission involvement.
- f. Bob Guthrie- Mr. Guthrie is asking that the vote on the pay study be postponed. As he does not have the results of the Evergreen pay study, he has turned to the DCA website for information regarding the pay in other counties. He feels that the Commission and the public should be given more time to research the issue. He also feels that the Commissioners should reject the \$5,000 increase to their salaries.

CONSENT AGENDA:

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

- a. Consider/Approve Minutes for October 17, 2022 Work Session

- b. Consider/Approve Minutes for October 17, 2022 Regular Meeting
- c. Consider/Approve Minutes for October 17, 2022 Executive Session
- d. Consider/Approve Board of Commissioners Meeting Schedule for 2023
- e. Consider/Approve DHS Coordinated Transportation Services Grant Agreement for FY 2023
- f. Consider/Approve Award of RFP 2022-7-01 Recreation Solar Panel and Battery System
- g. Consider/Approve Right of Way Maintenance Agreement for GDOT PI#0013861 (SR 105/SR 115 Roundabout)
- h. Consider/Approve Rural Fire Defense Cooperative Lease Agreement and MOU
- i. Consider/Approve Accepting BLE Proposal for Corrective Actions Report and Trend Evaluation for Pea Ridge Landfill
- j. Consider/Approve LET Grant for School Safety to Sheriff's Office
- k. Consider/Approve Purchase of One (1) Ford F-350 Regular Cab Pickup for Landfill
- l. Consider/Approve Alcohol License Renewal/Application for:
 - 1) Circle K. Stores Inc. #2723324 Located at 5000 Talmadge Drive- Malt Beverage and Wine Package Sales
 - 2) Krish Business LLC (dba Haye's Corner Country Store) Located at 3226 Hwy 17- Malt Beverage and Wine Package Sales
 - 3) Restoration Partners Inc. (dba Glenn Ella Springs Inn) Located at 1789 Bear Gap Rd- Wine and Beer Consumption on Premises
 - 4) Sunpeach LLC (dba A to Z Grocery) Located at 1723 Crane Mill Rd- Malt Beverage Package Sales
 - 5) Big Daddy Shell Business LLC Located at 3134 Historic Hwy 441- Malt Beverage and Wine Package Sales
 - 6) Mountain Magic LLC (dba North 40 Tavern & Grill) Located at 15702 Hwy 197N- Malt Beverage, Wine and Distilled Spirits Consumption on Premises
 - 7) EWalt 786 Inc (dba Clarkesville Chevron) Located at 1384 Tom Born Rd- Malt Beverage and Wine Package Sales
 - 8) Virannis Business Inc (dba BP Food Mart) Located at 310 Toccoa Hwy- Malt Beverage and Wine Package Sales
 - 9) S.N. Patel Inc (dba One Stop) Located at 2027 Camp Creek Rd- Malt Beverage and Wine Package Sales

- 10) The Orchard Golf and Country Club LLC Located at 1057 Orchard Drive- Malt Beverage, Wine and Distilled Spirits Consumption on Premises
- 11) Old Batesville General Store Restaurant Located at 11801 Hwy 197N- Malt Beverage and Wine Consumption on Premises
- 12) U and S LLC Located at 1941 Hwy 105- Malt Beverage and Wine Package Sales
- 13) Chicago's Pizza Inc Located at 879 Historic Hwy 441N- Malt Beverage and Wine Consumption on Premises
- 14) MAA Adhyashakti LLC (dba Speed Way)- Malt Beverage and Wine Package Sales
- 15) Cornelia Business LLC- 4113 Pea Ridge Rd- Malt Beverage and Wine Package Sales
- 16) Smitnick 4221 Corp. (dba Duncan Bridge Market)- Malt Beverage and Wine Package Sales

REPORTS:

- a. Manager's Report: Alicia Vaughn

APPOINTMENTS:

DEVELOPMENT AUTHORITY- 6-year term

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

Motion made by Commissioner Tench to reappoint Mr. Whitener to the Development Authority. There was no second to the motion and the motion failed.

DBHDD REGION 1 ADVISORY COUNCIL- 3-year term

Brenda Hardy (Resignation) 11/30/2024- At Large Appointment

Motion by Commissioner Akin, seconded by Commissioner Harkness and voted unanimously 4-02 to appoint Jeremy Noles to the DBHDD Region 1 Advisory Council subject to his employment not posing a conflict. Motion carried unanimously 4-0.

UNFINISHED BUSINESS:

- a. Second Reading of CLDO Amendment to Section 68-201 Regarding Definition of "Fence"

Planning Director Mike Beecham stated that he had been asked by a judge to clarify the ordinance on privacy fencing by providing a definition of the word "fence". The current CLDO does not have a definition. The planning commission approves of the proposed definition and added the last sentence regarding requiring the finished side to point outward from the property it encloses. No action was taken by the Commission.

NEW BUSINESS:

- a. Consider/Approve Memorandums of Understanding with Clarkesville for One (1) LUCAS Device

Emergency Services Director Jeff Adams informed the public that a LUCAS device is a mechanical CPR device, and that such devices are much more effective than provide an increased chance of survival for victims over

traditional CPR. Habersham County was able to purchase 10 of these devices using the Assistance to Firefighters Grant that they received. One is being placed on each county manned fire engine, leaving the rest to distribute to city fire departments. The grant included service and warranties for the LUCAS devices, and the MOU's being presented specify that these will be managed through Habersham County Emergency Services.

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

- b. Consider/Approve Memorandum of Understanding with Cornelia for Two (2) LUCAS Devices**

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

- c. Consider/Approve Memorandum of Understanding with Demorest for One (1) LUCAS Device**

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

- d. Consider/Approve Memorandum of Understanding with Tallulah Falls for One (1) LUCAS Device**

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

- e. Consider/Approve Award of Phase 1 of Airport Hangar Project**

Motion by Commissioner Akins, seconded by Commissioner Palmer and voted 3-1 to approve with Commissioner Tench dissenting.

- f. Consider/Approve Creation of 4-H Program Assistant Position**

Finance Director Tim Sims stated that this position will not have an impact on the budget as the funds from a position that is being dissolved are being redistributed to create this new position as well as being split between two other positions.

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

- g. Consider/Approve Converting Two (2) Part Time Kitchen Coordinator Positions at Senior Center to One (1) Full Time Position**

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

- h. Consider/Approve Aquatic Center Position Requests and Organizational Change Implementation**

Motion by Commissioner Akins, seconded by Commissioner Akins and voted unanimously to table.

- i. Consider/Approve Implementation of Pay Study**

Motion by Commissioner Akins, seconded by Commissioner Harkness to table to item. Motion carried 3-1 with Commissioner Palmer dissenting.

ADDITIONAL COMMENTS

Commissioner Harkness wanted to thank everyone for coming. He stated that being a Commissioner takes up to 25% of his day to read and understand the items that are being presented on the agenda. He wanted everyone to understand that the Commissioners didn't request the \$5,000 increases to their pay, this increase was state mandated

for all elected officials. He went on to say that he donates the money that he receives each month to needy organizations in the county and he plans to donate this additional \$5,000 as well. He states that in addition to the time that they spend on county issues and in meeting, they also attend training on how to be better Commissioners.

Commissioner Tench showed pictures of the properties behind the Dairy Queen in Baldwin and questioned if they meet building standards.

Commissioner Akins had no additional comments.

Commissioner Palmer stated sometimes you get what you ask for.

EXECUTIVE SESSION: NONE

Motion by Commissioner Harkness, seconded by Commissioner Akins and voted unanimously to adjourn at 7:47 p.m.

ADJOURN

Respectfully submitted,

By: _____

Commission Chairman Bruce Palmer

Attest: _____

County Clerk Brandalin Carnes