

**HABERSHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
6:00 P.M., MONDAY, JANUARY 23, 2023
HABERSHAM COUNTY COURTHOUSE
JURY ASSEMBLY ROOM
295 LLEWELLYN STREET
CLARKESVILLE, GA 30523**

The Habersham County Board of Commissioners held a regularly scheduled meeting on Monday, January 23, 2023 at 6:00 p.m. in the Jury Assembly Room of the Habersham County Courthouse located at 295 Llewellyn St, Clarkesville, GA.

Present was Chairman Bruce Palmer, Vice-Chairman Bruce Harkness, Commissioner Akins, Commissioner Mealor, Commissioner Tench, County Manager Alicia Vaughn, County Attorney Donnie Hunt, County Clerk Brandalin Carnes, members of the media, public and staff.

Chairman Palmer called the meeting to order at 6:02 p.m.

Commissioner Akins lead the invocation.

Commissioner Mealor lead the pledge.

ADOPTION OF AGENDA

Motion was made by Chairman Palmer to suspend the rules to allow for public comment by county employees at this meeting. The motion was seconded by Commissioner Akins. The motion failed 2-3 with Commissioner Harkness, Commissioner Mealor and Commissioner Tench dissenting as a motion to suspend the rules require a 2/3 majority (4 votes).

Motion by Commissioner Mealor, seconded by Commissioner Akins and voted unanimously to adopt the agenda as presented.

OFFICER ELECTIONS FOR 2023

a. Chairman

Chairman Palmer called for nominations by the members of the Board for Chairman.

Motion was made by Commissioner Mealor, seconded by Commissioner Tench to nominate Ty Akins for Chairman. No further motions were made to nominate any other members of the Board. Chairman Palmer called for a vote on making Commissioner Akins the Board of Commissioners Chairman for 2023. Motion carries with unanimous approval.

Commissioner Palmer handed the meeting over to newly elected Chairman Ty Akins.

b. Vice Chairman

Chairman Akins called for nominations by the members of the Board for Chairman.

Motion was made by Commissioner Tench, seconded by Commissioner Mealor to nominate Commissioner Harkness for Vice Chairman.

Motion was made by Commissioner Palmer to nominate Commissioner Mealor for Vice Chairman. The motion failed with no second.

No further motions were made to nominate any other members of the Board. Chairman Akins called for a vote on making Commissioner Harkness the Vice Chairman for 2023. Motion carries 4-1 with Commissioner Palmer dissenting.

APPOINT/REAPPOINT

a. County Attorney

Motion by Commissioner Palmer, seconded by Commissioner Mealor and voted unanimously to reappointed Donnie Hunt as County Attorney.

b. County Clerk

Motion by Commissioner Harkness seconded by Commissioner Mealor and voted unanimously to reappoint Brandalin Carnes as County Clerk.

PRESENTATIONS/ANNOUNCEMENTS:

- a. Recognition of HEMC Linemen Team's First Place Win in Rural Electric Class at 2022 International Lineman Rodeo (Dillon Welborn, Robert Morris, Tucker Tyer, Chris Chapman)**
- b. Recognition of HEMC's Partnership and Support in Tree Removal Along Demorest-Mt. Airy Highway**
- c. Rushton and Company Audit Presentation**
- d. Receipt of GFOA Certificate of Achievement for Excellence in Financial Reporting**
- e. Employee Spotlight: Madi Nix**
- f. The Habersham County Board of Commissioners Annual Planning Retreat is Scheduled for January 27, 2023, from 8:00 a.m. until 5:00 p.m. at Common Ground Cornelia, located at 643 Irvin St, Cornelia, GA 30531.**

PUBLIC HEARINGS:

a. Conditional Use Application CU-22-06- Animal Rescue/Sanctuary at 398 Ridge Road

Planning Director Mike Beecham informed the Commission that Jesse Romer, applicant of CU-22-6, is seeking a conditional use for an animal rescue shelter/sanctuary at 398 Ridge Road in the low intensity (LI) district. The property in question is 13.95 acres with a single-family home and outbuildings. She proposes to use the property as an animal rescue shelter where animals can be dropped off and go through rehabilitation and receive medical care prior to being adopted by others. The operation will consist of approximately 20 dogs staying within the house and will also be able to handle livestock in a pasture and barn. The facility has a current license from the Georgia Department of Agriculture as an Animal Shelter. Ms. Romer has previously run a similar facility in Metro Atlanta and has a 501(c)(3) status for donations. Habersham County Animal Control has inspected the site and expressed support for the facility as they feel it provides somewhere they can place animals and livestock. There were concerns brought up by citizens in attendance at the Planning Commission meeting about the additional traffic on Ridge Road as it is a single lane, county-maintained road, however public visitation to the site is expected to be on an infrequent basis to adopt animals. A neighbor expressed concerns regarding the potential for noise from up to 20 dogs, however Ms. Romer stated the dogs would primarily be kept inside of the house. Another neighbor expressed concerns regarding runoff from animal waste into a pond, however Ms. Romer states that animal waste will be "scooped" and disposed of. Lastly, a neighboring farmer had expressed concerns about livestock introducing disease to his animals, to which Ms. Romer stated a veterinarian will evaluate animals brought on site. The Planning Commission felt that the applicant adequately addressed all the concerns and have forwarded this

application to the Board of Commissioners with the recommendation of approval. No one was present to speak against conditional use application CU-22-06 at the Board of Commissioners meeting during this hearing. Ms. Romer was present but declined to speak as there was no opposition present.

Motion by Commissioner Meador, seconded by Commissioner Palmer and voted unanimously to approve.

- b. Conditional Use Application CU-22-05- Reclaiming/Wood Manufacturing Facility at 1036 Welcome Home Road

Planning Director Mike Beecham informed the Commission that applicant Nick Janes is seeking a conditional use for a wood reclaiming and manufacturing facility at 1036 Welcome Home Road in the high intensity (HI) district. It is also within the Suburban Transition character area from the Comprehensive plan. The property in question is 12.34 acres that was formerly the site of the Mount Airy Wood Preserving business. He will receive construction debris and grind it for reuse. The property will be open to the public for dropping off construction debris. The business will separate the materials for grinding. Once ground, the materials will be sold for various uses. It is not planned for the public to be able to purchase the ground materials directly, as it would be sold to businesses for resale. No new buildings are proposed to be constructed if approved. The property is located near the railroad tracks and adjacent to an industrial area. There were no citizens with comments in attendance at the Planning Board meeting. The Planning Commission discussed the potential noise from a grinding operation. They felt the loud grinding could cause future complaints from neighboring properties. The Planning Commission forwarded the application to the Board of Commissioners with the recommendation of approval with the conditions of the hours of operation for grinding being limited to 9am to 5pm Monday through Friday and if noise issues arise via neighborhood complaints, the business must then mitigate the noise level. No one was present to speak for or against conditional use application CU-22-05 at the Board of Commissioners meeting during this hearing.

Motion by Commissioner Harkness, seconded by Commissioner Palmer to approve the conditional use application per the Planning Commission's recommendations with the additional condition of clarifying the use as being "construction and demolition debris reclamation". Motion carries with unanimous approval.

PUBLIC COMMENTS:

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.

- a. ~~Doug McDonald: The Economy, and Other Related Issues~~ Mr. McDonald requested to be removed from Public Comments.
- b. Tim Loggins: Mr. Dough Oliver requested to speak on Mr. Tim Loggins Behalf as he is partners with Mr. Loggins in their business, Habersham C & D. He feels that there business provides a solution to Habersham County's issues with exponentially decreasing life of the landfill. He feels that a lot of the issue revolves around C&D materials that are coming into the landfill, what with two C&D cells already being capped and new C&D material being put into lined cells taking up more expensive space. He proposes that, if allowed, his company could bring their grinder to the landfill and grind wood, concrete, asphalt, shingles, etc. for the county which could potentially reduce the volume of these materials by 60%. Some of the byproducts, such as woodchips, can be used around the landfill and by the county. This would further reduce the materials in the landfill by repurposing materials instead of putting them back into the cell. He feels that they could extend the lifespan of the landfill by 5-7 years which would allow the Commission time to get options together for future landfill needs.

- c. Bob Guthrie: Mr. Guthrie stated that he feels he is an advocate for the taxpayers and rank-and-file employees of the county. He has submitted several open records requests for salary information from other counties. He informed the Commission that he is conducting his own study comparing the salaries of both Habersham County's upper-level management and rank-and-file employees with those of surrounding counties. He went on to address the response letter that was put out by the Board of Commissioners newly hired Public Information Officer Rob Moore that he feels was critical of his recent article he posted in Now Habersham.
- d. Carole Lonergan: Ms. Lonergan stated she recently received her tax bill from Cornelia. She gets taxed from both the County and City. The amount that her property was valued has increased astronomically and she has attempted to appeal the value. She states that there are 4,000 veterans in the county and a large population whose only source of income is social security. She feels that we should put a stop on hiring, as she has heard that two more new positions have been created. She states that this is not Atlanta, it is Habersham County.
- e. Peggy Fortson: Ms. Fortson wanted to comment on Mr. Guthrie's recent article in Now Habersham titled "The Buck Stops Here". She feels that the buck has been passed and the blame has been laid onto the current County Manager and Commission for issues that started prior to their tenure. She says that the County did not arrive at all of its problems overnight and that it took years of passing the buck to get to its current state. She feels that a lot of time and energy is wasted on a small group of individuals that try paint false and negative portrayals of county leadership. She is asks that the Commission ignore the scathing indictment of County Manager Vaughn's contract.
- f. Jimmy Dean: Wants to thank the Commission for having the courage and foresight to initiate the actions needed for keeping the hospital open. He feels that this will have a lasting impact on the county's future. He wanted to thank Mrs. Vaughn and her staff for the effort it took to make this happen and feel that she is the spark that made it happen. It takes professional and educated management to handle these multimillion-dollar decisions. He reminded the Commission that the county still has many more complex issues to resolve such as the landfill, the jail, the roads and bridges, etc. He asks that the Commission and the public support the County Manager and staff and not be swayed by the erroneous and misleading information that has made its way onto the internet. He stated that perhaps there is a reason why Now Habersham is the only one who is willing to publish certain letters. He wanted to finish by saying that we shouldn't be penny smart and dollar dumb.
- g. Wade Rhodes: At the past few meetings comments that were made regarding the salaries for county employees kept referencing the "top" and "bottom" employees. He states that there are no "top" and "bottom" employees, there is management and labor. If you don't have the right management in place than you are not going to recruit and retain the right labor and your organization is going to be a failure. Investing in Department Heads and employees is critical for success. He read al list of Mrs. Vaughn's qualification and experience, especially in economic development. He went on to state that in her short tenure she has invested in the Department Heads and Employees to increase efficiency and productivity, dealt with the airport, HR issues, public work issues and the hospital. He feels that the moral of the employees has never been higher and that in no way should we lose her leadership or experience.

CONSENT AGENDA:

Commissioner Tench asked Chairman Akins about removing item "F" from the consent agenda. He believes that some of the roads that are listed on the GDOT List of Roadways Approved for Use of Speed Detection Devices has roads listed that are not located in the unincorporated county. Public Works Director Jerry Baggett stated that the only revision to this list from last years is the addition of an ATESM device, which provides automated speed monitoring, that is located in Tallulah Falls.

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

- a. Consider/Approve Minutes for December 19, 2022, Regular Meeting
- b. Consider/Approve Minutes for January 10, 2023, Called Meeting
- c. Consider/Approve Minutes for January 10, 2023, Executive Session
- d. Consider/Approve Corporate Resolution for Bank Signatures
- e. Consider/Approve Ratifying Franchise Agreement with Appalachian Broadband Technologies
- f. Consider/Approve Updates to GDOT List of Roadways Approved for Use of Speed Detection Devices
- g. Consider/Approve Use of Hodges, Harbin, Newberry and Tribble for General Consulting Services for Landfill (2023)
- h. Consider/Approve Ratification of Independent Contractor Agreement for Interim Chief Solicitor General for Habersham County State Court

REPORTS:

- a. Manager's Report: Alicia Vaughn
- b. Departmental Report: Public Works Director Jerry Baggett

APPOINTMENTS:

DEVELOPMENT AUTHORITY- 6-year term

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

Motion by Commissioner Tench, seconded by Commissioner Akins to reappoint Mr. C. Allen Whitener to the Development Authority. Motion carries 3-2 with Commissioner Mealor and Palmer dissenting.

PLANNING COMMISSION- 3-year term

1. Jason Smith (Term Expiration) 12/31/2022- Commissioner Mealor's Appointment

Motion by Commissioner Mealor seconded by Harkness to reappoint Jason Smith to the Planning Commission. Motion carries unanimously.

2. Robert Gutowski (Term Expiration) 12/31/2022- Commissioner Palmer's Appointment

Motion by Commissioner Palmer seconded by Dustin Mealor to appoint Derrick Canupp to the Planning Commission. Motion carries unanimously.

3. Marquis Arender (Term Expiration) 12/31/2022- Commissioner Tench's Appointment

Motion by Commissioner Tench, seconded by Commissioner Harkness and voted unanimously to appoint Jim Kiger to the Planning Commission. Motion carries unanimously.

RECREATION BOARD- 5-year term

1. Joe Elam (Term Expiration) 12/31/2022- Commissioner Akins' Appointment

Motion by Commissioner Akins, seconded by Commissioner Harkness to appoint Peggy Fortson to the Recreation Board. Motion carries 4-1 to with Commissioner Tench dissenting.

BOARD OF TAX ASSESSORS- 3-year term

1. Jim Kiger (Term Expiration) 12/31/2022- Commissioner Palmer's Appointment

Motion by Commissioner Palmer, seconded by Commissioner Meador to appoint Michael Larson to the Board of Tax Assessors. Motion carries unanimously.

2. Barry Trotter (Term Expiration) 12/31/2022- Commissioner Akins' Appointment

Motion by Commissioner Akins, seconded by Commissioner Meador to appoint Barry Trotter to the Board of Tax Assessors. Motion carries unanimously.

BOARD OF HEALTH 6-year term

1. Heather Burke Cody (Term Expiration) 12/31/2022- At Large Appointment

There were no applicants for this vacancy at this time. Motion by Commissioner Harkness, seconded by Commissioner Palmer to table the appointment until the February meeting. Motion carries unanimously.

CHESTATEE-CHATTAHOOCHEE RC&D- 1-year term

1. John Hendrix (Term Expiration) 12/31/2022- At Large Appointment

Motion by Commissioner Harkness, seconded by Commissioner Tench to appoint John Hendrix to the Chestatee-Chattahoochee RC&D. Motion carries unanimously.

2. Bruce Palmer (Term Expiration) 12/31/2022- At Large Appointment

Motion by Commissioner Meador, seconded by Commissioner Harkness to appoint Commissioner Palmer to the Chestatee-Chattahoochee RC&D. Motion carries unanimously.

GEORGIA MOUNTAINS REGIONAL COMMISSION- 1-year term

1. Bruce Palmer (Term Expiration) 12/31/2022- At Large Appointment*

****Must be the Chairman of the BOC, or a County Commissioner designated to serve by the Chairman of the BOC***

Motion by Commissioner Meador, seconded by Commissioner Palmer to reappoint Commissioner Palmer to the Georgia Mountains Regional Commission. Motion carries unanimously.

UNFINISHED BUSINESS:

- a. Consider/Approve Amendment to Chapter 6, Article III, Section 6-134 of Ordinance for Purpose of Revising the Hours of Sale of Alcoholic Beverages for Beverage Purposes by the Drink on Sunday and for Other Purposes

This is the second reading and approval of the ordinance change to allow for the sales on Sunday to move up from 12:30 p.m. to 11:00 a.m. Motion by Commissioner Meador, seconded by Commissioner Harkness and voted unanimously to approve.

NEW BUSINESS:

- a. Consider/Approve Ratifying Purchase of 2020 Dodge Durango for E-911 (CIP)

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

- b. Consider/Approve Hangar Lease Agreement Template for Habersham County Airport

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

ADDITIONAL COMMENTS

Commissioner Palmer wanted to thank everyone for attending and being an active voice in their community. He informed everyone that applications are still being accepted for the unfilled vacancy on the Board of Health, and reminded everyone of the importance of this board to the community. He thanked everyone for their support of him as the Commission Chairman over the past year. He jokingly extended both his congratulations and condolences to Chairman Akins.

Commissioner Harkness informed everyone that the Board of Commissioners was about to go into executive session to negotiate the County Manager Contract. He wanted to make it clear to everyone that this is not a vote on County Manager Alicia Vaughn's abilities or the work she had done for the county, it is a vote on her contract only.

Commissioner Akins thanked everyone for coming to the meeting and the other members of the Board of Commissioners for their support in nominating him as Chairman. He wanted to thank Mrs. Vaughn for the incredible work she does for the county and its staff.

Commissioner Mealor had no additional comments.

Commissioner Tench had no additional comments.

EXECUTIVE SESSION: 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 Palmer and seconded 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; and Property Acquisition, pursuant to O.C.G.A §50-14-3 (b)(1) at 8:23 p.m.

ROLL CALL VOTE:

Commissioner Palmer- aye
Vice Chairman Harkness-aye
Chairman Akins-aye
Commissioner Mealor-aye
Commissioner Tench-aye

Motion carries 5-0 to entered to executive session.

Motion by Commissioner Mealor, seconded by Commissioner Harkness and voted unanimously to come out of closed session at 10:00 p.m.

County Attorney Donnie Hunt reported that all matters discussed in executive 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 Akins, seconded by Commissioner Mealor and voted unanimously to adopt the representation authorizing such affidavit as per the Attorney's recommendation.

a. Consider/Approve Contract with County Manager Alicia Vaughn

Motion by Commissioner Mealor, seconded by Commissioner Palmer to approve the proposed amended contract with County Manager Alicia Vaughn. Commissioner Harkness requested discussion, which was allowed by Chairman Akins. Commissioner Harkness stated that he was going to vote against the contract, but concessions were made. He doesn't want anyone to think he waffles on the issues. He realizes that the media salary in the county is around \$40,000 and a lot of people are unhappy with her salary, but it is in line with similar positions elsewhere. He gave the example of Habersham County School Superintendent Matthew Cooper, who he says has a comparable salary. He went on to say if Mrs. Vaughn quits, there is no one to replace her. ACCG has been consulted and they said that there is no one else available, even on an interim basis. They don't even have a waitlist at this point. There is simply no one that can fill her shoes at the moment. He knows that people are going to be mad at him either way and he wants them to rest assured that he is going to try to hammer things out before the next contract comes up. He assured everyone that he feels that Mrs. Vaughn is a good County manager and that she is doing a good job for the citizens.

Commissioner Akins called for a vote on the motion of approving the proposed amended contract with County Manager Alicia Vaughn. The motion carries 4-1 with Commissioner Tench dissenting.

Motion was made by Commissioner Mealor, seconded by Commissioner Tench and voted unanimously to adjourn at 10:03 p.m.

ADJOURN: 10:03 p.m.

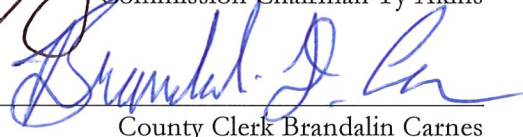
Respectfully submitted,

By: _____



Commission Chairman Ty Akins

Attest: _____



County Clerk Brandalin Carnes