

**HABERSHAM COUNTY BOARD OF COMMISSIONERS
WORK SESSION MINUTES
5:00 P.M., MONDAY, APRIL 17, 2023
HABERSHAM COUNTY COURTHOUSE
JURY ASSEMBLY ROOM
295 LLEWELLYN ST
CLARKESVILLE, GA 30523**

The Habersham County Board of Commissioners held a work session on Monday, April 17, 2023 at 5:00 p.m. in the Jury Assembly Room of the Habersham County Courthouse located at 295 Llewellyn St, Clarkesville, GA 30523.

Present were Chairman Ty Akins, Vice Chairman Bruce Harkness, Commissioner Bruce Palmer, Commissioner Dustin Meador, Commissioner Jimmy Tench, County Attorney Donnie Hunt, County Manager Alicia Vaughn, County Clerk Brandalin Carnes, County Staff, members of the media and the public.

Chairman Akins called the meeting to order at 5:03 p.m.

Commissioner Harkness lead the invocation.

Commissioner Palmer lead the pledge of allegiance.

Motion was made by Chairman Akins, seconded by Commissioner Harkness and vote unanimously (5-0) to add item d. "Discussion Regarding Ethics Panel" to the work session agenda.

TOPICS OF DISCUSSION

- a. Radio System Project Updates- Radio System Project Updates- Radio System Administrator Tom Priddy addressed the Commission with a PowerPoint presentation giving a general overview of the radio system Project and its current status. He informed the Commissioners that the current radio system is a 4 site Motorola VHF trunking system, with towers being located at Ivey Mountain, Batesville, Grandview, and Tallulah Falls. The tower heights do not exceed 100 feet and there is little to no indoor radio coverage. The end of sale on radio equipment for this system was September 30, 2016, meaning new radios cannot be purchased for it. Equipment support for this system ended in 2022 and the repair of infrastructure items are in question. The new radio system is a L3 Harris P25 Phase 2 system. It is seven site simulcast with single site multisite with 5,800Mhz channels per simulcast site. The new system has redundant system cores (jail site and current 911 center), a design which ensures that if one link is broken the data can circle around with no noticeable disruption. This new system will come with new dispatch radio consoles, loop protected microwave ring (for greater redundancy), backup generators and battery backups at each site location, and real time system monitoring and alerts. Five of the seven tower sites for the new system are locked in with two sites remaining in the acquisitions process. In an effort to combat supply chain issues, the generators and 4 pre-fabricated shelters have already been ordered. Five of the sites are going through construction drawing reviews. The old tower has been removed from the 911 center. 5,8000 Mhz frequencies have been identified that are not NPSPAC, which gives more flexibility.

HABERSHAM COUNTY BOARD OF COMMISSIONERS
WORK SESSION MINUTES
5:00 P.M., MONDAY, APRIL 17, 2023
HABERSHAM COUNTY COURTHOUSE
JURY ASSEMBLY ROOM
295 LLEWELLYN ST
CLARKESVILLE, GA 30523

- b. Discussion on Short Term Rentals- Planning Director Mike Beecham addressed the Commission. Mr. Beecham informed that when the topic of short term rentals had been brought before the Board of Commissioners previously, it was decided to take no action other than to require a business license and that the businesses register with the state to pay hotel/motel tax. Mr. Beecham informed the Commission that he has seen little compliance with this and that his office is having to essentially rely on the honors system for tax payments. This is troubling considering the rapid increase in short term rental requests lately. He has researched what is being done in surrounding counties. White County does not allow short term rentals in commercial/industrial zoned areas, but they do allow them in other areas with conditional use. A business license is required to operate short term rentals as well as an additional host license for each individual property. If the rules are violated more than twice than the business license is revoked. Rabun County is similar but has also created a few zoning districts where short term rentals are automatically allowed, with conditional use being required for everyone else. Hall County allows short term rentals in all zoning districts with a special business license, but parking and the number of people allowed in the rentals are regulated, with the first three violations being monetary fines. Mr. Beecham informed the Commission that White County's solution for monitoring short term rentals was partnering with a third party that uses software to scour websites like Air BnB and Vrbo to identify and inform the county of unlicensed rentals in their district. For an additional fee, some companies like Granicus will also issue notices to the property owners informing them what needs to be done to be brought into compliance and run periodic audits to compare the rental activity of these properties versus the information that is being turned in to the county. The software can be expensive, but Mr. Beecham feels that the revenue collected from taxes that would be substantial. Mr. Beecham was asked by the Commission to bring back several quotes for this type of third-party monitoring as well as the projected revenue it could potentially bring in.
- c. Discussion on Constitutional Industrial Development Authority- County Attorney Donnie Hunt addressed the Commission. He informed them that the Development Authority in its current state is statutory, having been created by a law passed in the 70's. Prior to this, most counties operated their Development Authorities under local legislation that was submitted to the General Assembly for authorization. Around 1981, Georgia adopted a new constitution and was going to do away with a lot of the constitutional amendments unless affirmative action was taken to renew them. Habersham County was one of 30 counties that took action to renew their constitutional Development Authority, which had been in place since the 60's. It was renewed around the 1983 session of the General Assembly. This constitutional Development Authority can be used to finance anything under the development code, including the proposed hangars at the airport. The bylaws for the authority are somewhat outdated and would need to be amended and resubmitted to update them. Currently, the membership is listed as three County Commissioners, the president of the Chamber of Commerce of Clarkesville, the Chairman of the Chamber of Commerce of Cornelia, the president of a service club and a member of the junior service league. Some of these positions do not exist anymore. It is possible to set the membership as being just the

**HABERSHAM COUNTY BOARD OF COMMISSIONERS
WORK SESSION MINUTES
5:00 P.M., MONDAY, APRIL 17, 2023
HABERSHAM COUNTY COURTHOUSE
JURY ASSEMBLY ROOM
295 LLEWELLYN ST
CLARKESVILLE, GA 30523**

three county commissioners and a member of the chamber. He has spoken with our bond council and they agree that, though the constitutional development authority could operate "as is" it would be better to update the language in the by laws to reflect a change in the makeup of the body. The reason this item is being brought before the Commission is for their consideration as a tool for financing the airport hangars. Restrictions can be placed on this authority that would limit what items can be financed by requiring they first be approved by the Board of Commissioners.

- d. Discussion on Ethics Panel- County Attorney Donnie Hunt stated that, in light of the fact that it was time for the appointment of the entire Ethics Panel, now is a good time to address issues within the ethics policy itself. Currently, if a complaint is brought against a member of the Board of Commissioners the County Attorney, the County Manager is responsible for picking three members of the Board of Commissioners to review the complaint along with the County Attorney to determine if it is legitimate and if it should move forward to an Ethics Panel. He looked at how things are done in similar counties and there are several where the responsibility for investigating whether a complaint is legitimate and should move forward is assigned to an outside county attorney from either within the same circuit or a neighboring circuit. Fayette County goes a step further in using a review panel made up of three county attorneys or a Senior Judge. This prevents putting the County Attorney and County Manager, who are employed by the Commission or the members of the Commission in an awkward position. This also removes issues with bias or prejudice another Commissioner. County Attorney Hunt proposed that the first reading of his drafted changes to this policy be added to tonight's regular meeting during the adoption of the agenda, and that he can make whatever changes the Commission deems appropriate between now and the next Commission meeting when it would be read for a second time and then voted on. The first reading is just a notice to the public regarding the fact that they will be considering changes that will be voted on at the next reading/meeting.

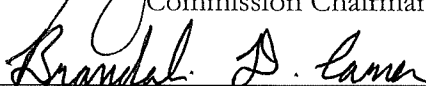
ADDITIONAL COMMENTS: NONE

ADJOURN: 5:46 p.m.

Motion by Commissioner Harkness, seconded by Commissioner Mealor and voted unanimously to adjourn at 5:46 p.m.

Respectfully submitted,

By: 
Commission Chairman Ty Akins

Attest: 
County Clerk Brandalin Carnes

