

**HABERSHAM COUNTY BOARD OF COMMISSIONERS
SPECIAL CALLED MEETING MINUTES
6:00 P.M., WEDNESDAY, NOVEMBER 6, 2024
HABERSHAM COUNTY COURTHOUSE
JURY ASSEMBLY ROOM
295 LLEWELLYN ST, CLARKESVILLE, GA 30523**

The Habersham County Board of Commissioners held a special called meeting on Wednesday, November 6, 2024 at 6:00 p.m. in the Jury Assembly Room of the Habersham County Courthouse located at 295 Llewellyn St, Clarkesville, GA 30523.

Physically present at the meeting was Chairman Ty Akins, Vice Chairman Bruce Harkness, Commissioner Dustin Mealor, Commissioner Jimmy Tench, County Manager Alicia Vaughn, County Clerk Brandalin Carnes, staff, members of the media and the public.

Commissioner Palmer was present virtually via video conference.

County Attorney Donnie Hunt was absent from the meeting.

Chairman Akins called the meeting to order at 6:01 p.m.

Commissioner Harkness lead the invocation.

Commissioner Tench lead the pledge of allegiance.

Chairman Akins wanted to make everyone aware of a letter he just received from the Patrick Franklin, Assistant Superintendent of the Habersham County School System, expressing gratitude to Public Works Director Jerry Baggett for his outstanding leadership during Hurricane Helene. Mr. Franklin's letter stated that Mr. Baggett's clear communication and decisive actions provided direction to Mr. Franklin's team during a challenging time, and that the preparation and support that he provided were crucial for navigating the storms impact.

APPROVE AGENDA:

Motion by Commissioner Harkness, seconded by Commissioner Mealor and voted unanimously (5-0) to approve the agenda as presented.

PUBLIC COMMENT:

- a. ~~Chris Akins: Support for Commission and Staff~~ -Mrs. Akins was unable to attend the meeting and requested removal prior to the start of the meeting.
- b. Cecily Niche: Chairman Akins allowed for Ms. Niche to take Chris Akins five-minute time slot for public comment as she had been asked by Commissioner Bruce Palmer in advanced of the meeting to speak on behalf of the veterinarian community. Ms. Niche informed the Commission that she was aware of misinformation regarding the negative impact a spay and neuter program at the animal shelter would have on the businesses of local veterinarians. Contrary to this, her practice is essentially paying for the privilege to spay and neuter the animals at the county shelter. Her costs, which are underestimated as they only account for supplies, equipment and staff and no additional overhead costs, are over double what they charge the shelter. For dog spays, dog neuters and cat spays, her costs are \$136 per animal,

however she only charges the county \$67.49/dog for spays, \$55.00/cat for spays, and \$55.00/dog for neuters. They have not provide cat neuters for the shelter in a long time because it is not cost effective. Ms. Niche wants the Commission to understand that the idea that the shelter having an operating suite for in-house spays and neuters would take steal business from local veterinarians is a fallacy, as in addition to losing money from undercharging the county for procedures they have an opportunity cost of missing out on a full pay client. The conversation may be different regarding the county providing free/low cost spay and neuters to private citizens for their pets, however she personally would be okay with this as she is a proponent of having as many animals in this community spayed/neutered in this county as possible to get the unwanted animal population under control so she doesn't have to see them dead on the side of the roads. Ms. Niche wanted the Commission to know that having an operating suite included in the shelter design only makes sense considering the many medical expenses that they incur. Her practice (Northeast Veterinary Hospital) has charged the county around \$6,000 over the past 5 months in vet bills. This can be extrapolated to an estimated \$14,000 for a year of medical bills incurred by the shelter just at her hospital, let alone bills that the shelter has incurred with other animal hospitals, Planned Pethood and the Humane Society. Having a small medical/operating suite included into the design of the shelter would allow them to possibly be able to get part-time or retired vets, vet students, vet interns/residents to be able to come perform work at the shelter on a periodic basis for a much lower cost, which will save the shelter money over time. It would also allow the shelter to eventually be able to offer low cost spay/neuter programs to local pet owners.

- c. Mack Palmer: Mr. Palmer informed the Commission that he was present tonight to speak in support of the animal control facility project. He is a lifelong resident and former employee of Habersham County, and that he had been around long enough to see many projects be promised by previous commissions that were never completed. He feels that the citizens are growing tired of this "kick-the-can" mentality. While he realizes that previous Commissions have gotten the county into this mess, he feels that it is the responsibility of the current Commission to do the right thing. In regard to the individuals who are now saying that they can design the animal control facility to be cheaper, he wants to know why these same individuals did not participate in the bid process? He asked the Commission if they are going to redo the bid process for the animal control facility design or if they are going to open the county up to lawsuits by accepting these individuals' proposals for consideration outside of the bid process and with disregard to those vendors who did what was right and legally required? He feels that this Commission needs to follow up on the promises that were made to build the animal shelter, build the central fire station and fix the emergency radio system.
- d. Hazel Cording: Ms. Cording wanted to remind the Commission of the RFQ process that was involved in choosing the architect who designed the animal control facility. The RFQ was issued on February 7, 2022. It was advertised 30 days as part of a fair and open process that allowed anyone with interest an opportunity to submit proposals. They asked for at least three years of firm experience, examples of projects that they had completed, professional references, personnel experience, a contracted approach for the designs, insurance and a price proposal. This was done to make sure that all the vendors were thoroughly vetted. She commended the Commission on these efforts to make sure that the vendors were qualified, noting as an example that being a home builder does not qualify someone to build public facilities like a county administrative facility, a school or a church. She would like to know if

the Commission is going to be asking the same questions of the individuals who will be speaking tonight regarding alternate designs? Will the Commission be putting those individuals through the same vetting process as the contracted design company that they already chose? Or will the Commission now just be accepting proposals from every Tom, Dick and Harry that wants to present a design and pick solely based on who they like that has the lowest cost? To prove her point in the form of parody, Ms. Cording stated that she may as well take the opportunity to present a proposal herself. Ms. Cording then proceeded to use the remainder of her time to roughly sketch out a design that she estimated could be done for \$50/sq ft, so long as the County doesn't care that she isn't insured. Her design involved purchasing several sheds from Lowes, lining the up, and bolting them together and just putting a huge chain length fence around it and essentially letting the dogs and cats be able to roam in and out through little doors in the sheds to defecate in the big fenced in area. She noted that her design is expandable, as they can just keep buying more sheds and bolting them together in a large chain.

- e. Dale Latty: Mr. Latty stated that he is part of a group that is proposing two options for the animal control facility that they feel could be built for ½ the cost with twice the capacity. Mr. Latty wanted to inform the two previous speakers that now that the value engineering has been completed the whole construction manager at risk contract has to go out for rebid anyway. Mr. Latty stated there are two ways that the Commission could save money, through site selection and by design. Mr. Latty feels that the project can be built turn key for \$3.85 million instead of \$7.56 million for the currently design that was gutted from its original. He feels that the reason the cost is so high is because project RFP out for design without any budget requirement. His group is proposing that the existing shelters 5-acre site near the fairgrounds be utilized. This would save the massive infrastructure costs of around \$2.3 million for a brand-new build in south Habersham. They feel that everything that is needed to build the animal control facility at the proposed site in south Habersham already exists at current site near the fairgrounds. The only thing that the current shelter site does not have is sewer, and he feels that this and minor paving and grading can be done for around \$720,000. He feels that this site change would also offer the opportunity for a redesign of the facility, which he says that Mr. Guthrie will be presenting. He realizes that it looks bad that the county has already spent \$500,000 on a "red herring", but do they want to move forward with spending \$7.56 million to have half the capacity at twice the price? He feels that when you come to a point you have been painted into a corner, it takes bravery, courage and leadership to admit when you can take a better course forward for both the citizens and the animals. He wanted to remind them that if they put the facility back near the fairgrounds, there is the potential to work with the Chattahoochee Mtn Fair committee so that they can serve large animals as well. Mr. Latty proceeded to hand out concept drawings to the Commission.
- f. Bob Guthrie: Mr. Guthrie stated that one of his groups goals was to find an alternative to the current proposal for the location and design of the shelter that would house a similar number of animals, be located in an equally desirable location but cost less money. He stated he looked at somewhere between 35 to 45 plans online for animal shelters, many of which had been completed by architects that had done similar work before. He provided the Commission with a copy of one of the more desirable plans that he saw, and the architect of this plan stated that they would give them the CAD and mechanical/electrical plans and that the cost for them to make needed modifications to this base plan would be around \$15,000.

They stated they could have all of the plans in their hands by the end of November and could proceed with groundbreaking by the end of December. This is a metal building that was originally designed to be 54 x 150 but he had them expand it to 54x180 feet for additional kennel space and has the capability to be expandable for future growth. While he feels that this is the best design that he has seen, he believes they can present three or four additional plans by the next Commission meeting. Commissioner Harkness inquired if the architect had given an estimated cost for construction of this building, to which Mr. Guthrie stated that three years ago the cost was around \$193/sqft including the surgical facility, however they also had some volunteer help so they were actually able to build it for a little under \$1 million. He informed the Commission that there are organizations that assist with fund raising activities for projects like this, and that he knows of a 28,000 square foot shelter that was built for \$7 million with fund raising. For the aforementioned shelter, money was also saved by bidding out the project in segments (structural, mechanical engineering, etc) rather than a whole. Mr. Guthrie stated that he realizes that Georgia Law requires any project over \$100,000 to be bid out, which can be a bit of a problem. However, he feels that this can be avoided if you build it using donations. Commissioner Harkness asked Mr. Guthrie if he has any background in building or engineering? Mr. Guthrie stated that his background is in corporate management. Commissioner Harkness asked Mr. Guthrie if he had reviewed the proposed plan for the animal control facility? Mr. Guthrie stated he had and that he thought that the number of doors on the sallyport area was excessive, and he also thought that the building was too long, and that staff would need to be provided scooters to get from one end to the other quickly. The design that he is presenting to the Commission is a rectangular building. Commissioner Harkness asked if Mr. Guthrie heard anything in the community regarding issues with the heating/air, wiring or plumbing in the current plan for the animal control facility? Mr. Guthrie stated that the only thing he had heard is the additional cost of putting those items into an unconventionally designed building. He feels that often in situations like this one the building is designed to be aesthetic rather than for functionality. Commissioner Palmer realizes that Mr. Guthrie feels that the design of the building is excessive, however the animal control staff who will be using the facility had a lot of input regarding how this design was laid out. He also wanted to let Mr. Guthrie know that from his experience, having to back a vehicle through a sallyport door rather than being able to pull through both sides leads to a lot of damage. This is why many fire stations are now drive-thru stations and very few only have doors on the front. Many of the shelters up north are designed with drive-thru sallyports as well. In regard to how the facility is laid out, Commissioner Palmer stated that the intake area and isolation area are close to the sally port. He wants to know if the design that Mr. Guthrie is proposing has taken into consideration the need to isolate incoming animals? Mr. Guthrie stated that there are two kennels in an isolation booth for dogs and two kennels for recovery for dogs and that this was similar for cats. Commissioner Palmer wants to know why Mr. Latty and Mr. Guthrie waited until now to bring these proposals to the Commission rather than participating in the RFQ process? Mr. Guthrie stated that his job does not involve building animal shelters so his proposal would not have been accepted under the criteria that was put out, also he had trusted that the elected officials would do the job properly and didn't anticipate needing to be involved until they saw what was being proposed. He stated that he and Mr. Latty had requested a 90-day delay in August so they could take that time to review the plans and come up with alternatives. Mr. Guthrie state he met with Commissioner Palmer, County Manager Vaughn, CFO Tim Sims and Capital Projects Manager Jerry Baggett and that they had zero interest in a proposal outside of the RFQ process.

Commissioner Palmer stated that this is the first time that either Mr. Guthrie or Mr. Latty have presented any kind of plan, though they have mentioned one several times. Mr. Guthrie stated that because the Commission wouldn't agree to a 90-day delay to the project for Mr. Latty and Mr. Guthrie, they didn't see the need to waste their time up until the September meeting when they saw that the project was not going to be proceeding immediately and there would be a four-month delay for the design to be redrawn. Commissioner Palmer brought up the fact that Mr. Latty and Mr. Guthrie had done this same thing in the past when it came to the courthouse. Commissioner Meador stepped in to request that the public comment remain on topic to the Animal Shelter. Commissioner Palmer stated that the City of Clarkesville would not run sewer to Hills Crossing and that they will not run sewer to the current animal shelter location. Mr. Guthrie stated that he had talked with the City of Clarkesville and that he feels that they would run sewer to the animal control facility. Commissioner Palmer asked if they have documentation of this conversation, as his understanding is that the City of Clarkesville is not willing to run sewer out to the animal shelter. Mr. Guthrie stated that the County would have to pay for a lift station, but that this would also open up all of the other county facilities to the sewer.

- g. Jannette Byrom: Is a support of the shelter and donates money to them in addition to fostering animals. She has talked to Chief Financial Officer Tims Sims and he has stated that the total cost of building this animal control facility would average out to \$20 per taxpayer each year for 10 years. She doesn't understand why they would change anything at this point, as the current design meets the needs of the animals, staff and volunteers. These animals have been let down by people and deserve to be taken care of in an humane and loving way. They don't need a facility that increases their trauma, which leads to increased aggression, and in turn increased euthanasia. They need a shelter that facilitates rehabilitation and recovery so that these animals can be good pets. She feels that for \$20/year she is onboard for 10 years for a facility designed to actually fit the County's needs, not a facility that some individual thinks meets the County's needs.
- h. Randy Caudell: Mr. Caudell stated he didn't have an opinion for the Commission regarding where, when or how to build the animal control facility, however he too was going to give them a suggestion for a design. He presented the Commission with a line drawing for a 15,000 square foot building that he feels any reputable building company could provide them a design and footprint for. Whatever the Commission decides on, he does agree that a new animal control facility is needed as opposed to the picture he showed them (which was a pile of euthanized animals). Mr. Caudell stated that he loves cats and dogs and his last five animals were rescues. He is onboard with whatever needs to be done, but he is asking that it be done efficiently, economically and quickly.
- i. Kelly Woodall- Mr. Woodall is a Commissioner Elect. Mr. Woodall realizes that the Commission has poured their hearts and souls into their work. He quoted Matthew 6:21 which states "where your treasure is, your heart will be also", meaning where someone puts their values is where they put their heart into. He knows that the Commission, staff and volunteers present value the animal shelter. He feels that the community in general values cohesiveness and the idea that they are all working together for a common cause. He feels that SPLOST is a special relationship as it is voters saying that they are willing to agree to a

special tax on themselves for certain projects they care about. The animal shelter is a passion for many in the community and the voters believe in it and want to see it completed. The original SPLOST was for a 7,650 square foot shelter for \$1.75 million. He realizes that because of inflation from COVID that the cost to complete the original 7,650 square foot project is probably easily now \$3-\$4 million. He feels that what people are not understanding is the extent to which the design has grown. The 7,650 square foot shelter that was originally proposed during SPLOST was about three times bigger than the current shelters size of 2,500 square feet. He realizes that this is because the new design also included needed items like a surgical facility. Mr. Woodall feels that the conversations at this point have indicated that the cost of the facility design has only gone up because of inflation, without taking into account the fact that the originally proposed 7,650 square foot design is now 16,000 square feet. He feels that this is hard for people to understand in relation to what was originally voted for in SPLOST. He feels that all of the people speaking tonight, including himself, are for getting the animals out of deplorable conditions as quickly as possible. He feels if there is a plan that will develop the site faster than they should consider it. He wanted to remind the Commission that they are not guaranteed that a future SPLOST will pass. He himself was on a SPLOST oversight committee for six years in which he oversaw the budgets for both the county and the cities. If the Commission does not earn the trust from the taxpayers on this project they stand to lose the possibility of approval of a future SPLOST. Commissioner Akin informed Commissioner Woodall that he is correct in that the projects cost going up from \$1.75 million was not due to inflation alone. He reminded Mr. Woodall that Commissioner Mealor brought up at the last Commission meeting that the original estimate was not set correctly in the first place by the Commission he was on who was part of the SPLOST discussions. The number that should have originally been put on the SPLOST in the first place would have been closer to \$5 million. All three projects that were on SPLOST were grossly underbudgeted and this is a fact that has been well established during the Commission meetings.

- j. Michele Campenelle- Mr. Campenelle is the owner of Limitless K-9. He provides dog obedience training. In an effort to serve his community he has worked with shelter staff, volunteers and future pet owners to set their pets up for success to keep animals from being returned to the shelter. He wants the Commission to understand how challenging that it has been for him to develop the bonds and trust needed to work with the dogs in the shelter due to the stressful environment that they are in. He informed the Commission that it is difficult to evaluate dogs for behavioral issues when they are so shut down from the conditions that they are in. Mr. Campenelle brought up the fact that the shelter is extremely small and unsanitary, and that he is amazed at what the staff and volunteers that work there are capable of doing in such conditions and with so little. Currently, there are no private areas to work with dogs on an individual basis so that they can provide them better opportunities to find new homes. While he realizes there are a lot of logistics going into building a new animal control facility, he wants the Commission to make this a priority as the shelter is a kill shelter and there are animals getting euthanized every week.
- k. Laura Cantor- Ms. Cantor has been a volunteer at the animal shelter for two years. She had wrote a letter this past summer inquiring about the status of the animal control facility project and was told that their would be a ground breaking in the summer, which did not occur. She realizes that this project has been in the works for awhile now. She wants the Commission to know she makes donations to the shelter in addition to paying a lot of

county and city taxes, while in addition having to personally drive cats to Athens and Duluth for spay and neutering. She would have hoped that these services could be provided by Habersham County considering the amount she pays in taxes. She wants the Commission to understand that staff members and volunteers are having to personally take many animals' home with so they don't get euthanized while waiting on foster homes due to the lack of space at the shelter. Ms. Cantor urged the Commission to get the process going on getting a new facility built as the current shelter is falling apart, and she herself has been injured just trying to get animals out of the kennels.

Commissioner Harkness asked Chief Financial Officer Tim Sims about the figure Ms. Jannette Byrom mentioned during her public comment regarding the proposed shelter cost averaging out to approximately \$20 per person each year for 10 years. Mr. Sims stated that this was a rough figure based on the estimated financing for the shelter divided by a population of around 47,000. Commissioner Harkness asked Animal Control Director Madi Nix how much actual time that she had put into the animal shelter design plans that were being proposed? She stated that she had a lot of input and that the architect designed the proposed plans based on her department's needs, however she reminded him that she herself is not an architect and she did not design the plan herself.

NEW BUSINESS:

a. Consider/Approve Value Engineered Design for the New Animal Control Facility

Capital Projects Manager/Public Works Director Jerry Baggett addressed the Commission. Mr. Baggett wanted those in attendance to know that he has over 30 years of construction experience and has worked for 10 years in design-build. He is a contractor, not a public speaker, however he assures them that he does know how to design a facility as directed, in the most cost-efficient manner, and get it right the first time. Mr. Baggett has been on projects that included the construction of Super Walmart, Bealls, Subway Restaurant, Vet Clinic, Funeral Homes and more. He was in the United States Navy's Construction Battalion during the Gulf War and has a degree in construction from the University of Florida. He has heard a lot of people throw numbers out regarding ways that the animal control facility could be constructed cheaper, but the numbers don't add up. Mr. Baggett informed the Commission that this facility has been designed in the most cost-efficient way that it could for the site that it is on, and that the site was chosen by the Commission because it met all the needs for the facility including water pressure and access to sewer. The designed square footage of the facility had to increase due to the fact that the original square footage only took into account the space needed for kennels themselves without any hallways, bathrooms, office areas, etc.

Commissioner Harkness inquires as to whether or not other potential sites or alternative designs had been looked at? Mr. Baggett stated that he brought four sites potential sites to the Board of Commissioners around two years ago and that the one that they are going with was selected by the Commission because it had adequate water and sewer, suitable soils, and there was less grading required as opposed to other sites. Mr. Baggett had also looked at plans for other animal shelters in the state and even visited the City of Gwinnett and Hall County's shelters to see how their facilities were laid out in person and discuss aspects of the designs. He, Animal Control Director Madi Nix, and Facilities Director Jerry Baggett had several meetings together with the architects to make sure

that the design met the communities needs, the animals needs, the staffs needs and the need for the facility to be properly maintained for the future.

Mr. Baggett reminded the Commission that at their work session held on October 21st, he had presented the details of the value engineering options. He had been directed by the Commission that they did not wish to remove any items that would take away the capability of being able to expand the shelter in the future. This change would bring the estimated value engineered cost of the facility from \$7.5 million to \$7.8 million. They will know a final guaranteed maximum price once they put the value engineered plan back out to bid. He went back to Croft and Associates and asked them to remove those aspects of the value engineering. The value engineered design includes the following changes:

- Remove the employee parking along the back of the building.
- Remove the corall enclosure and the driveway around it.
- Reduce the size of the dog park by 75% along with the fenced area.
- Remove the 2nd driveway along the front of the building.
- Remove the loading dock.
- Remove the curb and gutter from the main access driveway up to the entrance of the parking lot.
- Remove any grading modifications along the above-mentioned areas.
- Remove the livestock building.
- Remove the incinerator structure, including the pad. Provide stub-outs for the future.
- Redesign the building to have a flat roof.
- Redesign the electrical load distribution system to use an existing 250 kW generator.

Mr. Baggett informed the Commission that making the above value engineered changes would reduce estimated construction costs by about \$2 million dollars overall from the original design.

Commissioner Harkness stated that individuals on social media are hounding the Commission about the fact that this facility could have been built three years ago for only \$5 million. He asked Mr. Baggett to clarify if the Board of Commissioners is at fault for the process having been delayed three years and inflation having added to the cost? Mr. Baggett informed everyone that this is not the case, and that this process takes time and that having to go back and select a new site from what was originally intended added time onto the project. Mr. Baggett did want to let the Commission know that he has heard several people mention they thought moving to a different site would save money. He wants the Commission to know that doing so would add even more time onto the project because they would have to go back and redo everything. The combination of having to redo work and inflationary cost of adding time onto the project would potentially increase the price of the project by \$3 million based on the current economy and construction industry cost inflation of 14% per year.

Mr. Baggett informed the Commission that the cost per square footage of the proposed designs for the animal control facility are comparable to those of other facilities. He wanted them to know that a lot of thought had been put into the design so that it would meet both the current and future needs of the staff, animals, public and volunteers. Animal Control Director Madi Nix informed them that that the double sally port that was brought up during public comment is needed because they often

have animals escape when people are trying to bring them to the facility. They need this for both the public and the staff to safely load and unload animals. Having four doors (two on both ends), allows for vehicles to pull in and drive through rather than having to do any backing and risk damaging the facilities or vehicles. The design also includes space for food storage, which they don't have at the current facility and a surgical suite which could not only help them with getting low cost treatment and procedures for shelter animals but allow them to provide spay/neuter programs for the general public in the future. The placement and shape of the building allows the front of it to be visible upon approach and hides the dog park in the back. Mr. Baggett reminded the Commission that the property was originally planned for the purpose of future parks and recreation and that the cost of the driveway and bringing utilities into the property is being absorbed into this animal control facility project, though it will benefit that future parks and recreation project as well.

County Manager Vaughn invited Kip Stokes with Croft and Associates to address the Commission. Mr. Stokes gave the Commission information about the design process. He informed the Commission that when they looked at the original location for the animal control facility near the pea ridge landfill it was immediately apparent that it was not going to be a good site. The current site fit the needs of the facility better than any of the others that were proposed. Croft and Associates has spent a lot of time with Animal Control Director Madi Nix and Public Works Director Jerry Baggett making sure that the design took into consideration things such as medical isolation, air quality controls, controlled access to drugs, etc. Every time they design specialized facilities like this one, they are customized to how the users operate the facility. The value engineered design process takes time, and each change that is made takes additional time and work on the part of his staff to update the drawings. An example of this is value engineered savings from using a generator that the county already has purchased with grant money. That generator is not powerful enough to power the whole facility in the event of a power outage, so they will need to make sure that the design takes into account identifying emergency areas that can be powered by the generator rather than the entire building and this is going to change the electrical plans. They are also making a major change in the roof design to be a flat roof to save money. Commissioner Harkness asked if there was any way that Croft and Associates would be willing to negotiate the \$98,000 cost for the change order. Mr. Stokes informed him that, while everything is negotiable, he needed to understand that all of these changes involved his whole staff and also having to repermit the project. Commissioner Harkness inquired as to the purpose of the V-shaped design of the facility. Mr. Stokes informed him that in addition to providing a visual block for the dog park, it allows the capability of being able to expand the shelter to the north easily without impacting the dog park. It is also best practice in newer animal shelters to have two separate entrances to the facility, one for intake and one for adoption, which is taken into account with this design.

Commissioner Tench asked Mr. Baggett if he could inform him of the four sites that had been looked at for this facility? Mr. Baggett informed him that he had brought the Commission the options of this current site, a site near the old pea ridge landfill, a site on Scoggins Dr, and a site on Camp Creek Rd. Mr. Tench stated that he knew of two different sites that would require less groundwork than the site that is being proposed by Mr. Baggett. Mr. Baggett informed him that, with all due respect, he himself did not pick this site, it was picked by the Commissioners two years ago. Commissioner Meador reminded everyone that he was the one who proposed this site in the first place, and the reason the Commission went with this location was because the county already owned it, and it had access to the necessary water and sewer. Commissioner Meador stated that he would have preferred that the site been used solely for the parks and recreation purposes for which it was intended, however it met the needs for the animal shelter.

Commissioner Harkness asked if the vote and motion could be broken up separately. The current proposed motion is to “approve the change order to Croft for the value engineering design changes in the amount of \$98,200 and to commence with the groundbreaking and sitework with funding not to exceed \$1 million in SPLOST funds.”. Commissioner Harkness stated that he would be fine with approving the commencement of the groundbreaking and sitework, however he does not feel that he could approve the cost of the change order. Commissioner Palmer proposed making the motion in such a way that it approves of a change order in the amount of \$98,200 or less to allow for negotiation if possible? Commissioner Harkness stated that he couldn’t approve the change order at this time. Commissioner Palmer informed Commissioner Harkness that if he is concerned about the Commission being blamed for holding the project up, he should know that not voting on this change order for the design is the Commission holding the project up.

Motion by Commissioner Palmer, seconded by Commissioner Mealor to approve the change order with Croft for the value engineering design changes in an amount not to exceed \$98,200 and to commence with the groundbreaking and sitework with funding not to exceed \$1 million in SPLOST funds. Motion carries 3-2 with Commissioner Harkness and Commissioner Tench dissenting.

Commissioner Mealor inquired to Mr. Stokes if this new value engineered designs would need to be bid out again? Mr. Stokes informed him that the County has a Construction Manager at Risk and that once they put this design back out to bid, the CM at Risk will provide a guaranteed maximum price that would be brought back to the Commission to vote on. The \$1 million that is being mentioned in the motion tonight is for sitework only.

Commissioner Tench stated he couldn’t understand why this whole project couldn’t be put off until January. Commissioner Mealor voice that he felt that this would just be kicking the can down the road. Commissioner Palmer agreed, saying that it was time to stop putting this project off, citing as examples the increased cost to finish the upper portion of the courthouse and the administrative building that had items removed from its design and is already outgrown.

Commissioner Harkness voiced his concerns regarding the costs of the project, stating that many people’s taxes have doubled in the last four years. Commissioner Palmer asked him specifically whose taxes have doubled? Commissioner Harkness stated he has received complaints from a lot of people, and while they need an animal shelter they also must worry think about the cost. Commissioner Palmer agreed that they do have to worry about cost, however he wanted to let Commissioner Harkness know that of the thirty-some people who complained about their taxes going up recently he has only seen one that actually an increase. Everyone else’s taxes either stayed the same or decreased.

b. Consider/Approve a Funding Option for the New Animal Control Facility

Chief Financial Officer Tim Sims addressed the Commission, informing them that current SPLOST revenues are running about 20% above expected because of the unanticipated income from online sales taxes that was enacted around the same time. This means that there could potentially be an excess of SPLOST funds before the end of the collection period, however he reminded them that they do not have access to those excess funds at this time and would need to discuss financing for the animal control facility until then. Mr. Sims reminded the Commission of previous discussions in

which they had been presented with the option of either financing through a certificate of participation (COP) or through reactivating the industrial development authority to finance the debt. They could get a cheaper interest rate by financing the debt through the industrial development authority, which once reactivated would be made up of three sitting County Commissioners and the President of the Chamber of Commerce. Financing the debt through a certificate of participation would have a higher interest rate, however they can structure the debt so that they have the capability to pay it off early. He needs to direction regarding which route the Commission is wanting to pursue so they can bringing a resolution of intent for financing for the Commission to vote on at the next Commission meeting. This would allow their financial advisors to start procuring the financing, which would take about 60-75 days from when the resolution of intent is signed. County Manager Vaughn reminded the Commission that there is a \$25 million total cap on COPs. The new administrative building was financed using a COP and thus the amount available for another COP is reduced by that amount. If the Commission chooses to use a COP for the animal control facility it would further reduce what is available for being able to do a COP on a future project such as a new jail. Mr. Sims stated that he was doing some projects and that he estimates that the payment for a 20 year note would be around \$550,000. Dividing this out among a population of round 47,000 people was how he got to the roughly estimated figure of \$20 per person each year cost for the animal shelter. Commissioner Harkness stated that this was a dumbed down figure, as it doesn't account for the fact that not all of the population (such as children) pay taxes. That this would actually need to be divided among all of the property owners in the county, meaning that the amount would actually be higher. Commissioner Akins reminded Commissioner Harkness that actually the financing would be paid back with SPLOST dollars and that it would be paid off early. Mr. Sims stated that in other communities that have projects that were more expensive than expected, they were able to set things up so that the payments come out over several future SPLOSTs to keep the burden off the property owners. Commissioner Akins asked about the difference in the interest rates between the COP and financing bonds through an industrial development authority? Mr. Sims stated that while 3 years ago they may have had a \$300,000 to \$400,000 interest savings, there is not currently a huge difference in the interest rate. Mrs. Vaughn reminded that the main thing to take into consideration is the \$25 million cap for COP debt.

Commissioner Tench asked for clarification regarding the industrial development authority. Mrs. Vaughn the other Commissioners reminded him that this is a currently inactive authority that use to consist of seven members, however if reactivated it would currently only be made up of three Commissioners (one of which would be the Chairman) and the President of the Chamber of Commerce. Mr. Sims stated that one of the benefits of reactivating the industrial development authority is that it could also be used to finance debt for future projects like the jail that would otherwise go over the cap for a COP. Mrs. Vaughn mentioned that as interest rates go up, it will be cheaper to have the bonds through the IDA than through a COP. Commissioner Tench expressed that he was not for the idea of reactivating the industrial development authority. Commissioner Akins asked how long it would take to get the GMP number? Kip Stokes from Croft and Associates stated that it would be around three months due to the holidays. Commissioner Meador stated that he would only be in support of a financing option that is callable so that the debt can be paid off early. While he realizes that this has a higher interest rate, they could save in costs if they pay it off early. Commissioner Harkness stated that he wants to pursue the option of a COP and asked how they would pick who they finance this through? Mr. Sims informed him that their financial advisors would put out an RFP to different banks and financial institutions to see who gives us the best rates. Commissioner Meador if they would ask about different term lengths, to which Mr. Sims replied that they could ask them to do this if the Commission would like. Commissioner Harkness wanted to

express that the Commission is not against a new animal control facility, that they have to be concerned about the cost because it effects \$50,000 people. He is glad that the supports of the animal control facility are present so that they can see that the time that it taking to break ground on the project is not being delayed because of the Commission stalling the project but because there is a lot that goes into the design and trying to figure out how to finance the costs.

Commissioner Akin inquired as to the desire of the Commission regarding the financing? Commissioner Harkness, Commissioner Mealor and Commissioner Akins expressed that they were not interested in reactivating the industrial development authority and that they wished for Chief Financial Officer Tim Sims to ask the financial advisor Davenport to prepare the information regarding a 10-year, 15-year and 20-year term COP with the ability to payoff early for presentation at an upcoming Commission meeting. Commissioner Tench was against reactivating the industrial development authority. He stated that he was not exactly happy with the COP option either but would go along with it. Commissioner Palmer expressed that the industrial development authority is made up of three members of the Commission, and that it is the Commission who makes the decision on borrowing the money regardless of if it is through the COP or the industrial development authority. There was no need to make a motion as the Commission is only giving direction to staff to gather the information needed for them to make a vote at a subsequent Commission meeting.

Commissioner Palmer asked what the time frame before they could begin groundbreaking? The Croft representatives stated that said there is a difference between ceremonial groundbreaking and tangible work. He feels that after he gets back with his civil engineers, they could expect groundbreaking in the form of tangible work to begin prior to the end of the year.

ADDITIONAL COMMENTS

Commissioner Harkness that he is for the animal control facility project and whether they agree or disagree there are 50,000 people that he has to be concerned about as far as the project costs. He knows the project is needed, however they have to be concerned about the cost.

Commissioner Mealor had not statement

Commissioner Tench had no statement

Commissioner Akins had no

ADJOURN

Motion by Commissioner Harkness, seconded by Commissioner Mealor and voted unanimously (5-0) to adjourn the meeting at 8:16 p.m.

Respectfully submitted,
By: 
Commission Chairman Ty Akins
Attest: 
County Clerk Brandalin Carnes