

**HABERSHAM COUNTY BOARD OF COMMISSIONERS
MEETING MINUTES
600 P.M., MONDAY, FEBRUARY 19, 2024
HABERSHAM COUNTY COURTHOUSE
JURY ASSEMBLY ROOM
295 LLEWELLYN ST, CLARKESVILLE, GA 30523**

The Habersham County Board of Commissioners held a regularly scheduled meeting on Monday, February 19, 2024 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 Jimmy Tench, County Attorney Donnie Hunt, County Manager Alicia Vaughn, County Clerk Brandalin Carnes, staff, members of the media and the public.

Absent was Commissioner Dustin Mealor.

Chairman Akins called the meeting to order at 6:05 pm.

Chairman Akins lead the invocation.

Commissioner Harkness lead the pledge.

ADOPTION OF AGENDA

Motion by Commissioner Akins, seconded by Commissioner Harkness, and voted unanimously (4-0) to remove New Business item “ c. Consider/Approve Change Order with CROFT for Design of Fire/EMS Headquarters Administration Facility” from the agenda.

Motion by Commissioner Harkness, seconded by Commissioner Palmer, and voted unanimously (4-0) to adopt the amended agenda.

PRESENTATIONS/ANNOUNCEMENTS:

- a. Employee Spotlight
 1. Julie Pierce
 2. Harold Rogers

- b. Presentation of Certificate of Recognition to Jaren Campbell from Boy Scout Troop #5 for Achieving Rank of Eagle Scout

PUBLIC HEARINGS: None

PUBLIC COMMENTS:

Lachelle Worley: Ms. Worley owns property that is bordered by Ivy Mountain Connector. She does not wish for the County to continue maintaining Ivy Mountain Connector as she feels that the work they do on the road causes the dirt to erode from under her fence line. She states that both she and the only other property owner on this road no longer wish for the county to maintain it. Ms. Vaughn informed the Commission that Ms. Worley had contacted her regarding this issue and that she and Public Works Director Jerry Baggett were looking into the situation. Ivy Mountain Connector is a pass-through road and there are multiple citizens that live on another road nearby that use it and have asked for it to be paved, and that this is a right of way issue. She stated that once she is finished reviewing the issue she will let the Commission know what the options are so she can get their guidance.

Richard Rumble: Mr. Rumble, who lives on Cider Ridge, wanted to voice his continued frustration regarding the County’s plans to follow through on the construction of the 911 radio tower in the Orchard subdivision. He stated that, though the

judge did not grant an injunction on the construction of the tower, he did state that the covenants still apply to the lot. During the hearing that was held for the injunction, he states the county was unable to attest to the fact that a single life has been lost due to lack of coverage in the county, though he feels that the residents of the Orchard are now at risk of cancer-causing radiation and having homes in the towers fall zone. He feels that if this tower was being constructed by a corporation than it would have been shot down.

CONSENT AGENDA:

Motion by Commissioner Palmer, seconded by Commissioner Harkness and voted unanimously (4-0) to adopt the consent agenda as presented.

- a. Consider/Approve Minutes for January 16, 2024 Regular Meeting
- b. Consider/Approve Minutes for January 16, 2024 Executive Session
- c. Consider/Approve Minutes for January 26, 2024 Planning Retreat
- d. Consider/Approve Transfer of Airport Hangar Lease with Shaun Brautigan from Hangar D3 to C1
- e. Consider/Approve Contracted Instructor Agreement with Kristy Hill for 2024 Swim Lessons
- f. Consider/Approve Contract with Traylor Business Services Inc for Business Personal Property Verification
- g. Consider/Approve Documents Needed for FY 2024-2025 Contract Agreement with Legacy Link for Senior Center
- h. Consider/Approve Renewal of Statewide Mutual Aid Agreement with GEMA/HS
- i. Consider/Approve Ratifying Memorandum of Agreement with PACGA for FY 2024 Victims of Crime Act Assistance Grant Program Funding and Designation of Signing Authority
- j. Consider/Approve Alcohol Sales Application/Renewal for:
 - 1. Clarkesville Prime, LLC located at 3134 Historic Hwy 441, Turnerville, GA 30580 for Malt Beverage and Wine Package Sales.

REPORTS:

- a. Quarterly Financial Report: Tim Sims
- b. County Manager's Report: Alicia Vaughn

APPOINTMENTS:

LIBRARY BOARD

Remainder of 3-Year Term

- 1. Jennifer Garrett (Term Expires 6/30/2025) - At Large Appointment

Motion by Commissioner Palmer, seconded by Commissioner Harkness, and voted unanimously (4-0) to appoint Lena Bagget to the Library Board.

RECREATION BOARD

Appointments Will Serve Remainder of 5-Year Terms

1. Alan Irvin (Resignation-Term Expires 12/31/25)- Commissioner Mealor's Appointment

Motion by Commissioner Palmer, seconded by Commissioner Tench, and voted unanimously (4-0) to table this appointment to Recreation Board until the next meeting due to Commissioner Mealor's absence.

BOARD OF TAX ASSESSORS

Remainder of 3-Year Term

1. Mariah Holbrooks (Resignation-Term Expires 12/31/24)- Commissioner Harkness' Appointment

Motion by Commissioner Harkness, seconded by Commissioner Palmer, to appoint Jimmy Dean to the Board of Tax Assessor. Motion carries 3-1 with Commissioner Tench dissenting.

UNFINISHED BUSINESS: None

- a. Second Reading of Amendment to Article II ("Open Burning") of Chapter 30 ("Fire Prevention and Protection") of the Habersham County Code of Ordinances

Emergency Services Director Jeff Adams addressed the Commission, asking them if they had any questions regarding the proposed amendments? Commissioner Palmer asked if the ordinance would include the requirement for an air curtain? Mr. Adams informed him that air curtains are primarily used in the metropolitan area where there is more of a concern regarding air quality and that this is not a requirement in this area.

Commissioner Akins read the proposed amendment to Article II ("Open Burning") of Chapter 30 ("Fire Prevention and Protection") of the Habersham County Code of Ordinances aloud. This is the second reading of this amendment, with the first reading having been completed at the January 16, 2024 Board of Commissioners meeting.

- b. Consider/Approve Adoption of Amendments to Article II ("Open Burning") of Chapter 30 ("Fire Prevention and Protection") of the Habersham County Code of Ordinances

Motion by Commissioner Palmer, seconded by Commissioner Harkness and voted unanimously (4-0) to approve.

NEW BUSINESS:

- a. Consider/Approve IGA with City of Demorest for Animal Control Administration & Enforcement

County Manager Alicia Vaughn addressed the Commission. This is the same intergovernmental agreement (IGA) that has already been recently approved individually between the Cities of Cornelia, Mt. Airy, Clarkesville and Alto and the Board of Commissioners. The City of Demorest's Council is now also ready to move forward with this new IGA as well.

Motion by Commissioner Palmer, seconded by Commissioner Harkness and voted unanimously (4-0) to approve.

- b. Consider/Approve Resolution 2024-02-001 Adopting the Habersham County 2024 Comprehensive Plan

Planning Director Mike Beecham addressed the Commission. The Comprehensive Plan is updated every five years. Discussions regarding the Comprehensive Plan updates began almost a year ago, and around that time the Board of Commissioners appointed two members to an advisory committee for the Comprehensive Plan. This committee met approximately every other month for three meetings and held seven public input hearings throughout the county which included the cities that were also participating in comprehensive plan updates. In addition to these public input meetings, an online survey was conducted to allow ample opportunity for public participation. The advisory committee partnered with the media to put out several articles soliciting public input. Around 700 responses were received from the online survey, with the common theme among responses being a desire to preserve the rural character and small-town charm of Habersham County.

Mr. Beecham informed the Commission that something new about this update is that County Manager Vaughn encouraged her Department Heads to participate more in the community work plan, which is a five-year plan similar to a capital projects plan. This community work plan will assist the County in applying for grants that are administered by the state. Commissioner Akins informed everyone of the importance of public participation in the Comprehensive Plan, as these input hearings and surveys allows the Board of Commissioners to consider the public's wishes in decisions regarding how the county grows. Commissioner Harkness stated that he was impressed with all the work and detail that went into the copy of the Comprehensive Plan he reviewed and that the staff did an amazing job.

Motion by Commissioner Harkness, seconded by Commissioner Palmer to adopt the 2023 Habersham County Joint Comprehensive Plan. Motion carries 3-1 with Commissioner Tench dissenting.

~~e. Consider/Approve Change Order with CROFT for Design of Fire/EMS Headquarters Administration Facility – This item was removed during the adoption of the agenda.~~

d. Consider/Approve Indemnity Agreement with Communications International for OneMize Radio Tower Site

Radio Administrator Tom Priddy addressed the Commission. He stated that the surveyor found three different representations of the property boundaries for the OneMize radio tower site as shown on the supporting documents. Habersham County recognizes the plat from plat book 15 page 77 that goes along with deed book 166 page 474. The vendors are erring on the side of caution by making sure that the site of the tower on this property lies within two of the three recorded plats and that the tower is located between ten to fifteen feet away from the property line for erosion control purposes. The legal team does not see this as a high risk.

Motion by Commissioner Palmer, seconded by Commissioner Harkness and voted unanimously (4-0) to approve.

ADDITIONAL COMMENTS

Commissioner Palmer wanted to thank everyone for coming out to the meeting, especially the boy scouts. He reminded everyone that the younger generation are the future leaders and encouraged the boy scouts to come back and attend more Commission meetings in the future.

Commissioner Harkness wanted to thank everyone for coming out, including the boy scouts and their troop leaders. He congratulated Jaren Campbell on the hard work he has put into reaching the rank of Eagle Scout.

Commissioner Tench had no additional comment.

Commissioner Akin wanted to thank everyone for coming, including the boy scouts. He invited them to come back any time, though he joked that he doesn't blame them if they don't.

EXECUTIVE SESSION: Litigation, pursuant to O.C.G.A. § 50-14-2 and Property Disposal, pursuant to O.C.G.A. 50-14-3§ (b)(1).

Motion by Commissioner Palmer seconded by Commissioner Harkness to enter into executive session for the purpose of discussing Litigation, pursuant to O.C.G.A. § 50-14-2 and Property Disposal, pursuant to O.C.G.A. 50-14-3§ (b)(1).

ROLL CALL VOTE

Commissioner Palmer- aye
Commissioner Harkness-aye
Commissioner Akins-aye
Commissioner Tench-aye

Motion carries unanimously (4-0) to enter into executive session at 7:00 p.m.

Motion by Commissioner Harkness, seconded by Commissioner Palmer, and voted unanimously (4-0) to leave executive session at 7:54 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 Harkness and voted unanimously (4-0) to adopt the representation authorizing such affidavit as per the Attorney's recommendations.

ADJOURN

Motion by Commissioner Harkness, seconded by Commissioner Palmer, and voted unanimously (4-0) to adjourn the meeting at 7:55 p.m.

Respectfully submitted,

By: _____
Commission Chairman Ty Akins

Attest: _____
County Clerk Brandalin Carnes