

**HABERSHAM COUNTY BOARD OF COMMISSIONERS MEETING**  
**6:00 P.M., MONDAY, MAY 20, 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, May 20, 2024 at 6:00 p.m. in the Jury Assembly Room of the Habersham County Courthouse located at 295 Llewellyn St, Clarkesville, GA 30523.

Present was Chairman Ty Akins, Vice Chairman Bruce Harkness, Commissioner Bruce Palmer, Commissioner Dustin Meador, Commissioner Jimmy Tench, County Attorney Donnie Hunt, County Clerk Brandalyn Carnes, staff, members of the media and the public.

Chief Financial Officer Tim Sims was present on behalf of County Manager Alicia Vaughn, who was unable to attend the meeting.

Chairman Akins called the meeting to order at 6:03 p.m.

Commissioner Tench lead the invocation.

Commissioner Meador lead the pledge of allegiance.

#### **ADOPTION OF AGENDA**

Commissioner Tench requested the following changes be made to the agenda:

- 1) Remove item “p. Consider/Approve Employee Lease Agreement with Development Authority for Provision of Services by Patti McLarty as an Administrative Assistant” from consent agenda to place on new business as item “f”.
- 2) Remove item “q. Consider/Approve Employee Lease Agreement with Development Authority for Provision of Services by Tim Sims as Industrial Development Bond Finance Administrator” from consent agenda to place on new business as item “g”.

Motion by Commissioner Meador, seconded by Commissioner Palmer and voted unanimously (5-0) to adopt the agenda with the requested changes.

#### **PRESENTATIONS/ANNOUNCEMENTS:**

- a. Special Recognition of Sergeant Andy Negra Jr.
- b. Employee Spotlight:
  1. Melanie Bellinger
- c. Recognition of Awards Received at Annual Georgia Emergency Communications Center Conference by E911 Department
- d. Proclamation of May 19<sup>th</sup> -25<sup>th</sup> as Emergency Medical Services Week

#### **PUBLIC HEARINGS:**

- a. CU 24-04 – Application by Jonathan Smith for Conditional Use of 4.85 acres located at 1443 East Mize Rd (Parcel 040 022) for Self-Storage Facility

Planning Director Mike Beecham addressed the Commission. Applicant Jonathan Smith is seeking conditional use for the construction of a self-storage facility on 4.85 acres located at 1443 Mize Rd (parcel 040 022) within the LI, Low Intensity District. The proposed site plan shows ten (10) proposed 50'x100' storage buildings. There will also be a parking area for boats, campers, and RVs. This site backs up to Hwy 365 but access to the property would be from East Mize Road. Mr. Smith has stated that the site would be surrounded by a security fence and have a gate with a keypad for access. There will be a surveillance system within the facility and the lights will be wall mounted to each building. The surrounding property uses are residential with a church immediately adjacent to the site on the east side. There were two citizens who attended the Planning Commission meeting on this

Motion by Commissioner Palmer, seconded by Commissioner Harkness to approve CU-24-01. Motion carries 4-1 with Commissioner Tench dissenting.

#### **PUBLIC COMMENTS:**

- a. Lachelle Worley: Ms. Worley reminded the Commission that she had come before them at their meeting in February regarding Ivy Mountain Connector. It is her understanding that the County Attorney and County Manager are reviewing information that has been provided by Public Works Director Jerry Baggett regarding the road right of ways, however she has asked for copies of the documentation at they have not yet been provided. Ms. Worley states that her property line extends to the middle of Ivy Mountain Connector, and that her deed does not show the county as having any right of way. to Ivy Mountain Connector. Ms. Worley feels that the county's maintenance of Ivy Mountain Connector has caused erosion to her property which in turn has compromised the fence line that her late husband erected. She has had discussions with the property owners on Ivy Mountain Connector and they want to close the road by the end of the month. They do not feel that there is anything preventing them from doing so. Chairman Akins informed Ms. Worley that her concerns have been heard, however the county has a responsibility to follow the correct processes and laws, and this requires time.
- b. Marie Woodward: Ms. Woodward expressed her concerns regarding Code Enforcement accepting and investigating anonymous complaints. She feels that this practice lends itself to the opportunity for abuse. She feels that citizens have a right to know who has filed a complaint against them, especially given that those complaints can result in legal ramifications for property owners.
- c. Renee Harrleson: Ms. Harrleson requests that Ivy Mountain Connector remain open to the public and that it remains under the maintenance of the County Road Department. She feels that the closure of Ivy Mountain Connector by private landowners would be a safety issue as it would cause a delay in response time from emergency services to residents at the end of Ivy Mountain Rd. In addition, the nature of Ivy Mountain Rd leads to it having a lot of fallen trees during storms. Ivy Mountain Connector is the only alternate access route in these situations.
- d. Lee Bock: Mr. Bock requests that Ivy Mountain Connector remain open to the public and maintained by the County Road Department, as it provides an alternate route to Ivy Mountain Road residents during emergencies as well as a faster response time by emergency services.
- a. George Ebinger: Requests that a decision on item "f. Consider/Approve Purchase of Two (2) Self-Contained Compactors for Landfill" and item "g. Consider/Approve Purchase of Used 2009 Mack GU813 Roll-Off Truck for Landfill" be postponed to allow private companies an opportunity to submit proposals for recycling services.

- e. William Haley: Mr. Haley requests that Ivy Mountain Connector remain open to the public and maintained by the County Road Department, as it provides an alternate route to Ivy Mountain Road residents during emergencies as well as a faster response time by emergency services.
- f. Darrin Harrleson: Mr. Harrleson requests that Ivy Mountain Connector remain open to the public and maintained by the County Road Department, as it provides an alternate route to Ivy Mountain Road residents during emergencies as well as a faster response time by emergency services.
- g. Jeff Gonzalez: Mr. Bock requests that Ivy Mountain Connector remain open to the public and maintained by the County Road Department, as it provides an alternate route to Ivy Mountain Road residents during emergencies as well as a faster response time by emergency services.
- h. Bob Shipman: Mr. Shipman requests that Ivy Mountain Connector remain open to the public and maintained by the County Road Department, as it provides an alternate route to Ivy Mountain Road residents during emergencies as well as a faster response time by emergency services.
- i. Richard Rumble: Mr. Rumble opposes the placement of an E911 radio tower in the Orchard subdivision due to concerns regarding the health impact of long-term exposure to radio waves.
- j. Bob Guthrie: Mr. Guthrie had concerns regarding both employee lease agreements that were listed on the consent agenda for the provision of services to the Development Authority. He feels that both agreements need to have the same termination notice requirements that other contracts do. He also questioned the structure of the lease payments for the agreement with Ms. McLarty, stating that he did not understand why the payment applies to all 40 hours of work time and why it is paid directly to Ms. McLarty instead of going back to the general fund.

**CONSENT AGENDA:**

Motion by Commissioner Mealor, seconded by Commissioner Palmer to approve the consent agenda with the amendments that were made during the adoption of the agenda. Motion carried 4-1 with Commissioner Harkness dissenting.

- a. Consider/Approve Minutes for April 15, 2024 Work Session
- b. Consider/Approve Minutes for April 15, 2024 Regular Meeting
- c. Consider/Approve Contract with Lawn Keepers for Lawn Care Services
- d. Consider/Approve Contract with Waste Management for Waste Disposal Services
- e. Consider/Approve Contracting for Medical Supplies with Henry Schein Inc, Nashville Medical & EMS Products Inc, and Bound Tree Medical LLC
- f. Consider/Approve Purchase of Two (2) Self-Contained Compactors for Landfill
- g. Consider/Approve Purchase of Used 2009 Mack GU813 Roll-Off Truck for Landfill
- h. Consider/Approve Lease Agreement for Airport Hangar D-3 with Billy Burrell

- i. Consider/Approve the Local Road Assistance Administration (LRA) Grant Application
- j. Consider/Approve Updated Federal Transit Authority Drug and Alcohol Policy
- k. Consider/Approve Agreement with Optum Fitness for Participation in Renew Active Reimbursement Program
- l. Consider/Approve Renewal of Contracted Instructor Agreement with Hillary Myers for Dance Classes
- m. Consider/Approve Task Order #11 with Lead Edge Design Group for Runway Object Free Area (ROFA) Grading Improvements
- n. Consider/Approve Task Order #12 with Lead Edge Design Group for Construction Phase Services for the Runway Overlay Project
- o. Consider/Approve Task Order #13 with Lead Edge Design Group for Geotechnical Quality Assurance Testing for the Runway Overlay Project
- p. ~~Consider/Approve Employee Lease Agreement with Development Authority for Provision of Services by Patti McLarty as an Administrative Assistant~~ Item was removed from consent agenda to new business item g. during the adoption of the agenda.
- q. ~~Consider/Approve Employee Lease Agreement with Development Authority for Provision of Services by Tim Sims as Industrial Development Bond Finance Administrator~~ Item was removed from consent agenda to new business item g. during the adoption of the agenda.
- r. Consider/Approve Intergovernmental Agreement with City of Baldwin for Animal Control Services

**REPORTS:**

- a. County Manager's Report: Ann Cain, Human Resources Director

**APPOINTMENTS:**

**DEVELOPMENT AUTHORITY**

Appointment Will Serve Remainder of 6-Year Term

- 1. Kelly Woodall (Resignation-Term Expires 02/17/2028)- Commissioner Harkness

Motion by Commissioner Harkness, seconded by Commissioner Mealor to appoint Mike Franklin to the Development Authority. Motion carries 4-1 with Commissioner Tench dissenting.

**BOARD OF TAX ASSESSORS**

Appointment Will Serve Remainder of 3-Year Term

Chairman Akins informed everyone that there were several resignations from the Board of Tax Assessors. He is advising that the Commission vote to suspend the policy regarding advertising resignations for 30 days in order to vote on the vacancies left open by Amy Sgro and Michael Larson's resignations. The Board of Tax Assessors only has two members left on it (Jimmy Dean and Bill Terry) and thus do not have a quorum.

Waiting for the full 30-day advertising period would mean that these two appointments would not be able to occur until the June 17<sup>th</sup> BOC meeting. Board of Tax Assessors members must complete training prior to being allowed to vote in meetings. It is essential to get these appointments made as quickly as possible. Advertisements requesting applications for the Board of Tax Assessors have been put in the paper six times since September 21, 2023. The advertisement for Curtis Shedd's vacancy has been out for the full 30 day period required by policy for resignations (put out April 10<sup>th</sup>) and we have received no new applications since that time. It is not expected that waiting another month will garner a surplus of additional applicants for this Board. Chairman Akins has consulted County Attorney Hunt regarding this matter and Mr. Hunt feels that suspending the advertisement policy is an appropriate action given the circumstances.

Motion by Commissioner Palmer, seconded by Commissioner Mealor to suspend the policy requiring a 30-day advertising period for appointments left open due to resignations to allow Commissioner Mealor and Commissioner Palmer to make their respective appointments to the Board of Tax Assessors. Motion carries unanimously (5-0).

Motion by Commissioner Palmer, seconded by Commissioner Mealor to suspend policy requiring a 30 day . Motion carries unanimously.

1. Curtis Shedd (Resignation-Term Expires 12/31/2026)- Commissioner Tench

Motion by Commissioner Tench, seconded by Commissioner Mealor to table Commissioner Tench's appointment to the Board of Tax Assessors until the June 17<sup>th</sup> Board of Commissioners meeting. Motion carries unanimously (5-0).

2. Amy Sgro (Resignation- Term Expires 12/31/2024)- Commissioner Mealor

Motion by Commissioner Mealor, seconded by Commissioner Harkness and voted unanimously (5-0) to appoint John King to the Board of Tax Assessors.

3. Michael Larson (Resignation- Term Expires 12/31/2025)- Commissioner Palmer

Motion by Commissioner Palmer, seconded by Commissioner Harkness to appoint Ann Denise Shuler York to the Board of Tax Assessors. Motion carries 4-1 with Commissioner Tench dissenting.

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

- a. Consider/Approve Plan Year 2024-2025 Employee Insurance Renewals

Human Resources Director Ann Cain addressed the Commission. Both the employees and the insurance managers have done a great job at managing the County's costs this year. Habersham County's medical loss ratio was 15 points below the average, making the renewal 5.46% favorable to the County's budget even after adding many new benefit offerings to the employees. Changing the third-party administrator from Trustmark to HealthEZ will result in a savings of \$300,000 for the county with no increase to the premium paid by employees for health insurance. There were some increases to the premium for dental coverage and short-term disability, however there were positive changes that are beneficial to employees. For the dental coverage, though there is a minimal increase in the premium for employees she was able to negotiate their being allowed to rollover benefits over from one year to the next. Currently there is an annual maximum benefit of \$1,000, but this rollover will allow an employee to be able to carry up to \$475 of unused benefit to the next plan year. In regard to short-term and long-term disability, the long-term disability premium cost decreased as

they changed the elimination period from three months to six months. Making this change allowed them to extend the duration of the long-term disability coverage from two years to five years. Because the elimination period for long-term disability was increased, it was necessary to increase the duration of the short-term disability coverage from 3 months to 6 months, however the premium increase for employees was minimal. The decrease in the long-term disability cost offsets helps to offset the increased cost for the short-term disability coverage while providing employees three more years of benefits.

Motion by Commissioner Palmer, seconded by Commissioner Harkness and voted unanimously (5-0) to approve.

- b. Consider/Approve Contract with CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. (P.C.) for Creation of a Unified Development Code.

Planning Director Mike Beecham addressed the Commission. There was a workshop back in November last year that was held jointly between the Planning Commission and the Board of Commissioners. At that time, the issue with the current development code were discussed as well as the need to update the code. The current land development ordinance was adopted in 1992. Habersham County currently has four different types of land use districts: Low Intensity (LI), Medium Intensity (MI), High Intensity (HI) and Industrial. The pyramidal structure of the current setup means that if you have land zoned for a higher level of intensity at the top of the pyramid it allows for all other uses at the lower levels under it. An example of this is that in a high intensity district you could have a factory, a residential home and a convenience store all right next to each other. This has led to many incompatible land uses being located next to each other. Habersham County has changed a lot over the past 32 years and they receive a vast number of conditional use requests. Giving more structure to the code would allow him as the Planning Director a better capability of being able to deny incompatible requests himself at a department level. They contacted four different consulting firms but only received responses back from two. After having done due diligence in comparing the two, they are recommending going with CPL. The proposed timeline is about 12 months and will involve interviews with the Board of Commissioners, the Planning Commission and local engineers. They have already received a lot of public input from the recent Comprehensive Planning process and generally everyone agrees that they want to see guided growth. The current ordinance is incapable of doing this. The cost for CPL to assist in rewriting the development code would be \$97,800 which they have agreed to split over two fiscal years (FY24 & FY25) to reduce the budgetary impact.

Commissioner Meador inquired about the potential for the Commission passing a moratorium on subdivisions? Attorney Hunt stated that, while he is not a fan of moratoriums, however they are useful in situations like this one where you are actively working on making changes as it keeps people from making a mad rush to get applications in prior to the changes occurring. He feels that a moratorium is permissible. This could be done for six months with a six-month renewal. His opinion is that the county is 10 years behind on making these changes.

Commissioner Harkness asked if there are any active subdivision applications, to which Mr. Beecham informed him that there are two that are going through the preliminary plat stage with the Planning Commission. These two would be allowed to move forward.

Commissioner Akins asked the Commission if they wished for this topic to be scheduled for a work session on June 17<sup>th</sup> and all were agreeable. Commissioner Meador stated that he would like to see about trying to vote on this at the June 17<sup>th</sup> Board of Commissioners meeting. Attorney Hunt informed the Commission he would prepare a draft of the moratorium. Commissioner Akins reminded everyone that this would not have any impact on the cities.

Motion by Commissioner Palmer, seconded by Commissioner Meador and voted unanimously (5-0) to approve.

c. Consider/Approve Construction Manager at Risk for New Habersham County Animal Shelter and Fire/EMS/911 Buildings

Finance Director Tim Sims addressed the Commission. He informed them that he realizes that the planning process for the Animal Shelter has taken awhile due to many hurdles. He reminded them that when they took over this project, there were not any well laid out plans. The original location that was proposed at the old landfill was unsuitable and the site work alone was going to be more than what was budgeted for the entire construction. A new location was identified for the shelter and 90% of the design work is complete, which is why they have moved forward to put out an RFP for a Construction Manager at Risk. This is a company that would come in and work on behalf of the County for both the animal shelter and fire/ems/911 building projects to complete the design process and work with the architects to value engineer the designs and help reduce the construction costs. They would come back to the County with a guaranteed maximum price. Seven vendors submitted proposals to the RFP. The grading relied 80% on qualifications and experience and 20% on pricing. They took the top four scoring vendors from this grading process and conducted interviews. The recommended vendor, Sunbelt of GA, clearly stood out as they had worked with several animal shelters previously. They had the second lowest pricing with a cost of \$489,870 plus 3.5% of the guaranteed maximum price for providing construction management services. These funds would be paid out of SPLOST VII. The RFP stipulated that the County wants local contractors used if possible.

Commissioner Akins asked Mr. Sims to explain why it was decided to go this route. Mr. Sims explained that the options were to do a design-build or a straight bid. The reason they decided to do a design-build is because both the animal shelter and the fire/ems/e911 buildings are specialty buildings and it is necessary to find contractors that are experienced with those particular kinds of projects. Mr. Sims stated that they had contacted several other government entities that had built animal shelters recently to ask them about things they thought were important to include or that they wish they had done, and all of them said it to make sure that those who are put in charge of the project have experience in building animal shelters.

Commissioner Harkness asked what the current estimated cost for constructing the animal shelter is? Mr. Sims stated that it ranges anywhere from \$6.39 million to \$10 million and there is no way to know to really estimate a cost until the plans are finalized and reviewed by the CM at Risk. When the plans are put out to bid for construction, the gross maximum price will be brought back to the Board of Commissioners for approval prior to construction moving forward. Commissioner Harkness asked why the County is having to pay another \$500,000 to this company if they are going to still have to put out a bid for a contractor to construct the buildings? Mr. Sims informed Commissioner Harkness that if they had done a straight bid that these fees would still have been included as part of the cost of that bid. By separating the design phase from the construction phase it gives the county the ability to pick someone who is experienced with animal shelters design and oversee the project. Commissioner Akins informed Commissioner Harkness that the Commission had asked that the RFP be put out this way. Mr. Sims informed the Commission that will be incurred prior to the Commission receiving the gross maximum price is the pre-construction costs of \$5,500 for reviewing the plans for the animal shelter.

Motion by Commissioner Meador, seconded by Commissioner Palmer to approve. Motion carries 3-2 with Commissioner Harkness and Commissioner Tench dissenting.

d. Consider/Approve Pool of Firms for on Demand Services for Civil Engineering and Threshold for Approval of Civil Engineering Task Order by County Manager and CFO

Finance Director Tim Sims addressed the Commission. The County has never had a contract for a on-call civil engineering firm for when issues arises. An RFP was recently issued on behalf of the Development Authority for civil engineers. This agenda item is asking to piggyback off this RFP so the county can have a pool of vendors for these services. This RFP was sent out to about 30 different firms including all of the local

firms they could find. They did not have any local firms bid. The top three scorers were Rochester & Associates, Thomas & Hutton, and Hussey Gay Bell. The Finance Department is recommending these three firms for on-call, on-demand civil engineering services. This will work in a similar manner to how the county currently does with its pool of architectural firms. They will give all three firms a task order when services are needed, and the Finance Department will bring back the most economical/advantageous of these task orders to the Commission for approval. They are also suggesting to increase the threshold at which the Chief Financial Officer and County Manager can approve a task order for civil engineering services from \$20,000 to \$50,000 to prevent potential delay that could be caused to time sensitive projects from having to wait for approval at a Commission meeting. Without increasing the threshold, any of these task orders over \$20,000 will have to come back to the Commission for approval prior to proceeding.

Commissioner Harkness asked why this was not split into two separate line items? Mr. Sims informed Commissioner Harkness that this threshold change is associated with only the civil engineering task orders and that the Commission can make changes at their discretion as part of the motion.

Motion by Commissioner Palmer, seconded by Commissioner Meador to approve acceptance of RFP 2024-11 "Demand Services for Civil Engineering" to the following pools of firms; Rochester & Associates, Thomas & Hutton, and Hussey, Gay Bell on a task order basis with the threshold for approval for task orders by the Chief Financial Officer and County Manager to remain at \$20,000. Motion carries 3-2 with Commissioner Tench and Commissioner Harkness dissenting.

- e. Consider/Approve Amended Memorandum of Understanding with Habersham County Development Authority, the City of Clarkesville and Parkside Partners, LLC for the Redevelopment of the Old Courthouse Property.

County Attorney Donnie Hunt addressed the Commission. This memorandum of understanding (MOU) is an agreement for transferring the old courthouse property to the Development Authority. The property being transferred excludes the agricultural extension building and parking, the gazebo and the war memorial. He reminded everyone that the county is only able to sell property by taking bids, however the Development Authority can develop property and negotiate terms. The Development Authority has approved the MOU and the City of Clarkesville has approved it with a minor change to the wording. This MOU provides control over making sure that the developer meets Commission defined milestones in a timely fashion. There is a due diligence period, but if the developer needs to have it extended, they must pay the county a premium on the extension. There are terms spelling out how much of a community investment they must make. The Development Authority owns the property, but it is taxable as a leasehold. This finally puts the property back on the County's tax rolls.

Commissioner Tench stated that the copy of the MOU that he had at his house did not include schedule 1.1(a) which was a plat showing what portion of the property was being transferred in red. Mr. Hunt informed Commissioner Tench that only tract 1 in red is being transferred. The agricultural extension office (tract 2), the gazebo (tract 3) and the war memorial (tract 3) are not being transferred. Commissioner Tench informed Mr. Hunt that he had a plat that shows 497.46 acres that was put on the books in 1962. Attorney Hunt informed Commissioner Tench that he was not working with the original plat as there have been many transfers that have occurred since that time, and that the plat shown in schedule 1.1(a) is what the County currently owns. Commissioner Tench stated that the only thing that can go on the property in question is another courthouse.

Motion by Commissioner Palmer, seconded by Commissioner Meador and voted 4-1 to approve with Commissioner Tench dissenting.



- f. Consider/Approve Employee Lease Agreement with Development Authority for Provision of Services by Patti McLarty as an Administrative Assistant (Item was moved from consent agenda to new business during the adoption of the agenda)

This was an item that Commissioner Tench had requested to be moved from the consent agenda to new business during the adoption of the agenda. Chief Financial Officer Tim Sims asked the Commission what questions they have about the agenda item. Commissioner Tench stated that he feels that the Development Authority has the ability and should pay for their own employees rather than take over the use of County employees to do their work. He has a monthly report that was done in 2023 that showed the account balance as \$1.2 million in their accounts. Mr. Sims and Human Resources Director Ann Cain clarified that this is a reimbursement, and that in Patti's case she has already been providing services like taking minutes, scheduling, putting together agenda packets, etc for the Development Authority for quite some time. Commissioner Tench stated that he felt that between the Development Authority Board and the Development Authority Director that someone isn't doing their job. Commissioner Akins explained that the Development Authority will be the ones that are paying for the additional services and reminded that technically their funds belong to the taxpayers as well. He feels that it is more economical to lend the Development Authority the part time use of an existing employee than it is for the Development Authority to try to higher their own employee. Commissioner Harkness stated his only concern is that he feels that the 60-day notice provision for contract termination that is normally included in all other contracts should be included in both of these lease agreements as well.

Motion by Commissioner Palmer, seconded by Commissioner Meador to approve the employee lease agreement with the Development Authority for provision of services by Patti McLarty as an administrative assistant with the amendment of adding a 60-day termination notice. Motion carries 4-1 with Commissioner Tench dissenting.

- g. Consider/Approve Employee Lease Agreement with Development Authority for Provision of Services by Tim Sims as Industrial Development Bond Finance Administrator – (Item was moved from consent agenda to new business during the adoption of the agenda)

This item was discussed in combination with the previous agenda item "P".

Motion by Commissioner Palmer, seconded by Commissioner Meador to approve the employee lease agreement with the Development Authority for provision of services by Tim Sims as an Industrial Development Bond Finance Administrator with the amendment of adding a 60-day termination notice. Motion carries 4-1 with Commissioner Tench dissenting.

## **ADDITIONAL COMMENTS**

Commissioner Harkness thanked his fellow Commissioners for working with him for the past four years. He knows that tomorrow's elections could change things. He stated that he answers to the taxpayers, and he wanted the citizens to know that it has been an honor being their Commissioner. His opponent is Wade Rhodes, and he is a good man and that if he gets elected tomorrow that he knows the citizens of Habersham County would be in good hands. Should the citizens choose to re-elect Bruce Harkness instead, he promises to continue to serve them just as well.

Commissioner Palmer wanted to thank everyone for attending the meeting. He encouraged everyone to continue coming back to meetings and getting involved in their local government. He reminded everyone that applications are always being accepted for the various Boards, Commissions and Authorities and there is often a shortage of interested people. He wished everyone a happy and safe Memorial Day and informed

them that the VFW will be recognizing Mr. Negra for Memorial Day. He asked everyone to get out and vote and thanked the employees for the service they provide the citizens every day.

Commissioner Akins stated that he realizes that attending a Commission meeting is not the most fun way to spend a Monday night, however he appreciates everyone who came out tonight.

Commissioner Mealor wished everyone a good Memorial Day weekend with their families and asked them to remember those who have served our Country. He asked everyone to get out and vote tomorrow, reminding that local government often has a larger impact on people's daily lives than even the state government.

Commissioner Tench said he was glad to see so many people come out to attend the meeting.

**EXECUTIVE SESSION:** Litigation, pursuant to O.C.G.A §50-14-2

Motion by Commissioner Mealor, seconded by Commissioner Palmer to enter executive session for the purpose of Litigation, pursuant to O.C.G.A §50-14-2 .

**ROLL CALL:**

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

Motion carries 5-0 to enter executive session at 8:31 p.m.

Motion by Commissioner Mealor, seconded by Commissioner Palmer and voted unanimously (5-0) to leave executive session at 8:57 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 (5-0) 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 (5-0) to adjourn the meeting at 8:58 p.m.

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