

**HABERSHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
6:00 P.M., MONDAY, JULY 15, 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, July 15, 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 Manager Alicia Vaughn, County Attorney Donnie Hunt, County Clerk Brandalin Carnes, staff, members of the media and the public.

Chairman Akins called the meeting to order at 6:00 p.m.

Commissioner Tench lead the invocation.

Commissioner Palmer the pledge of allegiance.

ADOPTION OF AGENDA

Commissioner Harkness inquired as to the correctness of item “e. Consider/Approve June 24, 2024 Called Meeting Minutes” and item “f. Consider/Approve June 26, 2024 Called Meeting Minutes”. He wanted to check to make sure that the meeting dates and types were correct. County Clerk Brandalin Carnes informed Commissioner Harkness that the dates were correct and went on to explain that the June 24th meeting was for the second budget hearing and the June 26th meeting was held for the purpose of a continuing budget resolution as a result of the FY 2025 budget not being approved at the June 24th meeting. She informed him that both meeting types were called meetings.

Commissioner Harkness requested the removal of item “b. Recognition: Helen Barrett” from the presentations/announcements portion of the agenda, stating that Ms. Barrett is unable to attend tonight’s meeting and that she will be recognized at a future Commission meeting.

Motion by Commissioner Harkness, seconded by Commissioner Palmer, and voted unanimously (5-0) to adopt the agenda with the aforementioned change.

PRESENTATIONS/ANNOUNCEMENTS:

- a. Employee Spotlight:
 - 1. Todd Roper
 - 2. Rodney Landivar
 - 3. Jacob Palmer

- b. ~~Citizen Recognition: Helen Barrett~~ – This item was removed during the adoption of the agenda.

Chairman Akins informed those present that Commissioner Palmer would not be able to attend the Commission meeting next month on August 19th as he has been asked by the Association of County and City Governments (ACCG) to serve on a committee that will be reviewing the curriculum for

their County Commissioner Certification program. Commissioner Palmer has taken most of the courses that are offered by ACCG and will be able to provide valuable insight from the participant's side. These classes are extremely valuable to both new and tenured Commissioners as they go over many topics that are essential to running a county government. Chairman Akins stated that the Commission is proud that Commissioner Palmer has been asked to participate in this endeavor, as the classes are very helpful.

PUBLIC HEARINGS:

- a. CU-24-07: Applicant Celeste Wood Seeking Conditional Use for Kennel and Dog Training/Breeding Facility on 1.5 Acres Located at 786 Stonepile Road (Parcel 065 155A) in the LI, Low Intensity District.

Planning Director Mike Beecham addressed the Commission. Applicant Celeste Wood is seeking a conditional use for a kennel and dog training facility with breeding on a 1.5-acre parcel (065 155A) located at 786 Stonepile Road in the LI, Low Intensity District. Ms. Wood's property is surrounded by a 33-acre parcel of vacant conservation land that is owned by her family. Ms. Wood currently owns nine (9) dogs, but she wishes to increase this number to twenty (20) dogs and eventually construct a 2400 sq ft building to house the animals. She would have to breed and sell several dogs to be able to afford to pay for this building, so the animals would be kept in outdoor enclosures with individual dog houses for the foreseeable future. Her intent is to breed and sell pure breed German Shepherds. She has stated that she has the appropriate Georgia Department of Agriculture licenses needed to breed and sell the animals. Planning Department staff became aware of the request when the applicant wanted to upgrade her existing mobile and pet grooming business license to include the training, kennel and breeding. This is what initiated the public hearing process. The County has received several complaints about barking on the property.

Mr. Beecham asked the Commission if they had any questions regarding the conditional use application?

Commissioner Palmer asked how long Ms. Wood has been participating in these activities on her property? Mr. Beecham stated that there are nine dogs currently located on the property, but to the best of his knowledge these are Ms. Woods' personal dogs. He informed the Commission that Habersham County does not have an ordinance limiting the number of personal animals someone can have on their property. Ms. Woods seeking a business license is what triggered the need for a conditional use application.

County Attorney Hunt asked the applicant if she would like to speak on behalf of her application?

Ms. Wood feels that she has been misunderstood by some, as she does not want to increase the number of dogs she owns to twenty (20), she wishes to have the ability to house up to twenty (20) dogs which would include dogs that she is boarding for other people. She would like to correct what she feels were some discrepancies from the Planning Commission meeting. It was brought up at this meeting that Animal Control was called to her property several times for barking complaints. This is true, however at the time the complaints occurred they had several hunting dogs of their own and were also temporarily having to house both her sons hunting dogs as well. Hound hunting is an important part of her husband's heritage, and they had owned hunting dogs years before the neighbors started complaining. They have lived on the property for twenty-two years and have had

anywhere between 15-20 hunting dogs. When they saw the barking was causing so much disruption, they complied with animal control and started finding housing for the dogs and now they no longer have any of them, so the source of the barking is gone. It was also incorrectly stated that Georgia Department of Agriculture inspector came out several times while she was trying to acquire her kennel license and she failed their inspection each time. This is not true, as she had only requested the inspector to come to her home one time before and the inspector did not fail her, but rather informed her that she needed to clean up the property from where her son had gutted a truck to make it more presentable if she was going to have a business. She complied with this request and the inspector returned in June and she passed the inspection for both her kennel license and her pet dealer license. Ms. Wood stated that she loves dogs, and that German Shepherds are her passion. She is a certified dog trainer and has obtained several certifications through the American Kennel Club. Her German Shepherds are all imported, champion bred and cost her between \$3500-\$4500. They are all registered and have undergone genetic and health testing. To prevent any disturbances to her neighbors, she has relocated the kennel on her property, rearranged dogs within the kennels, put bark collards on the dogs and added shade cloth to the back of the kennel. She is looking into putting up a privacy fence to put a barrier between herself and the neighbors. Her goal is to acquire this business license to be able to breed and sell her quality German Shepherds and conduct training sessions at her home, where all her equipment is located. She currently has a 17x9 foot room in her home she can use for training sessions, however she intends to build an indoor/outdoor kennel with climate-controlled living quarters for the dogs that includes an indoor training area for her to work in. Any puppies she sells will come with folder that has several health guarantees/records, genetic information and a contract which includes a provision stating that if the purchaser ends up not being able to keep the puppy that she will take it back and rehome it herself, so it stays out of the animal shelter.

County Attorney Donnie Hunt asked if there was anyone else who wished to speak in favor of the application.

Mr. Harold Pope spoke in favor of the application. He stated that he lives in the area and that has passed by the applicant's property several days a week for the past three years that he has lived there. He feels that he has seen an improvement in the property and that the applicant has addressed many of the concerns that were brought up by the Planning Commission. Mr. Pope further stated that the property is in a rural area, and other than barking he doesn't see any harm that would come from her operating her business there.

Mr. Bobby Gibby spoke in favor of the application. Mr. Gibby is the father of the applicant. He knows personally how much effort his daughter has put into fitting into the community. He feels that the problems with the neighbor came from the hunting dogs that she previously owned. The dogs that his daughter owns now are high quality and trained German Shepherds that are not prone to barking.

No one else wished to speak in favor of the application after Mr. Gibby.

County Attorney Donnie Hunt invited those who wished to speak in opposition of the application to address the Commission.

Mr. Daniel Meyers spoke in opposition to the application. He has gone over to his neighbors home multiple times to complain about the barking dogs, and the last time he went they had around forty

dogs, with twenty inside the house and twenty outside the house. While it is an improvement that they are down to nine dogs, this can quickly turn into ninety once they start breeding them. He asked the Commission who they think is going to end up listening to all of them bark? When he had called Animal Control for the barking previously, he was told there was nothing they could do as the dogs had all their shots and paperwork. He was told that he would have to get video of the dogs barking, but he would have to physically go onto their property to do this. While he feels that the applicant putting up a privacy fence would be an improvement, he is concerned that the number of dogs is going to grow well beyond the twenty. He wants to know when they plan to build the kennel? He informed the Commission that he has put up with these barking dogs for years, and asked them what he was supposed to do, as he can't sell his house due to the fact anyone who comes to look at it is going to hear the dogs. He will admit the German Shepherds are not as noisy, but he is concerned that the noise will increase as the business grows with more animals.

No one else wished to speak in opposition to the application after Mr. Meyers.

Commissioner Akins stated that it looked as though this was a tough decision for the Planning Commission as well, as the vote to recommend denial was 3-2. He asked Mr. Beecham if the primary concern was the number of times Animal Control had been called? Mr. Beecham confirmed that the barking was the primary issue. The Planning Commission had asked if Ms. Wood could go ahead and initiate building her proposed 2400 square foot kennel and training structure. If she was able to do so he feels that they would have recommended approval with the condition of this building being completed, however the applicant stated she wasn't financially able to do so at this time.

Commissioner Palmer asked if there had been any complaints about the barking since the applicant got rid of her hunting dogs and switched to owning German Shepherds? Animal Control Director Madi Nix stated that most of the complainants have gotten frustrated and stopped calling as they don't feel like calling Animal Control is going to make a difference. Commissioner Palmer stated that his experience is that hound dogs tend to bark a lot more than German Shepherds.

Commissioner Harkness asked how the property is zoned? Mr. Beecham informed him it is zoned LI, Low Intensity. Commissioner Harkness asked Mr. Beecham to explain what Low Intensity means. Mr. Beecham stated that the county intends for LI, Low Intensity to be residential. Mr. Beecham informed him it was zoned LI, Low Intensity. Commissioner Harkness asked him to explain what this means. Mr. Beecham stated that the low intensity districts are composed primarily of single-family residential homes with a few small commercial uses if those businesses don't generate much traffic or noise that would disturb the neighborhood. Commissioner Harkness asked how the unified development code that is currently being worked on would treat the LI, Low Intensity usage? Mr. Beecham informed him that it would tighten up the ordinance so that the Planning Office would be able to automatically deny some of the requested usages up front without having to keep bringing so many conditional use applications in front of the Commission.

Commissioner Palmer stated that he realizes that the applicant was unable to construct the proposed building at this time, however he wanted to know if the Planning Commission had looked at the condition of a barrier fence? Mr. Beecham stated that they did not, but this is something the Commission could propose as a condition.

Commissioner Harkness stated that he was born and bred in Habersham County, and he understands people wanting the right to do as they please with the property they buy or inherit, however the problem is that as the county grows different property uses conflict with each other. He cited as an example that it would work out to have chicken farm built next to a subdivision. He expressed that the Commission must think of the county overlay and the greater good of the citizens when they make decisions regarding these conditional uses.

Commissioner Akins informed everyone present that the Commission is having a review completed on all the current land uses in the county. They should see some comprehensive results in a few months. He realizes that there have been multiple problems, which have led to the County being overrun with conditional uses over the years. This is a burden on the code enforcement to keep up with as well.

Commissioner Palmer asked if, as part of the motion, the Commission could require the proposed building to be completed within a given time frame? County Attorney Hunt informed him that this is allowable, and that if the building is not completed in that time frame the business would need to be moved. Commissioner Palmer inquired if the other Commissioners felt like 24 months was an appropriate time frame to allow for the applicant to acquire financing for the building? Commissioner Akin stated that he felt that giving the applicant a year would be very lenient in consideration of the neighbors. Commissioner Palmer asked the applicant if she could construct the building within a year, and she stated she needs the training business to be able to generate the income needed to fund the building. Commissioner Palmer informed her he is trying to find middle ground to allow her to be able to operate her business and get the building constructed.

Motion by Commissioner Palmer, seconded by Commissioner Akin, to approve conditional use application CU-24-07 with the condition that the building has to be built within 12 months to continue the operation of the business. Motion carries (3-2) with Commissioner Mealor and Commissioner Tench dissenting.

Commissioner Harkness wanted to make it clear to the applicant aware that his vote to approve this conditional use was contingent on the building being constructed and that if this fails to occur the applicant will not be allowed to continue operation of the business.

PUBLIC COMMENTS:

a. Harold Pope: FY 2025 Budget

Mr. Harold Pope state that he realizes that there has been debate about whether to give County employees should receive a raise of some form and how much. He knows that the costs of goods have gone up dramatically for everyone including County employees. He supports the Commission in moving forward with giving employees a 4% increase.

b. Heather Benton: Support for Recreation Department Gymnastics Program

Ms. Benton is aware of the difficult task that the Commission has in trying to reconcile a contentious budget. She understands that there are critical services that need to be funded and that the Commission is looking into making cuts. She has heard that one of the cuts that the Commission is considering is to the gymnastics budget, as they believe that this program could be

privatized. She is asking them to keep this program funded by the County, as she feels that privatizing it would make it unaffordable to families that participate as the costs are significantly higher. She also feels that gymnastics would be inaccessible to some families, as they will have to travel to other counties due to a lack of private gymnasiums in Habersham County. Many of the families who utilize the current gymnastics program have children that use bus transportation. She is asking that, rather than cut this program, they take time to review and tighten the program's finances.

c. Michele Shirley: Support for Recreation Department Gymnastics Program

Ms. Michele Shirley gave the Commission some background on how Habersham County came to have its own gymnastics program, stating that several years ago when the YMCA closed the Commissioner at that time were able to bring the program in-house. At the time this occurred, a budget was prepared with estimates of the costs and projected revenue, and it was expected that the program would be revenue generating so long as the county was able to figure out finding or building a county owned space as soon as possible, as rent was the only unknown at that time. She herself has personally benefited from gymnastics, as she was a participant when she was younger. She feels that it teaches discipline, self-control, and perseverance.

d. Christie Daniel: Support for Recreation Department Gymnastics Program

Ms. Christie Daniel has a highly energetic son who participates in both baseball and gymnastics. Gymnastics is one of the few programs that provides activity all year long. She cited statistics from a national study that show that most parents feel that their children's participation in sports programs benefit their child's mental and physical health. The fact that this program is provided by the County is very convenient for her as a working mom. She is asking the County not to privatize the gymnastics program and to continue offering it in-house.

e. Genie Dean: Gymnastics Funding

Ms. Genie Dean stated that it was brought to her attention one of the cuts that the Commission is considering to reduce costs in the budget is the gymnastics program. She is asking them to find other places that they can cut to keep the gymnastics program in the budget. She is also asking them to take the time to review the programs finances to determine how they can improve the revenue versus expenses.

f. Lachelle Worley: Ivy Mountain Connector

Ms. Lachelle Worley voiced her frustration over the fact that she still hasn't received any communication from the County regarding its research into whether they have records of an existing right of way for their continued maintenance of Ivy Mountain Connector. Ms. Worley stated that she has been attending Commission meetings since February and nothing has been done. She informed the Commission that she has a petition signed by individuals who are in favor of Ivy Mountain Connector being closed. Commissioner Akin asked County Attorney Hunt if the

Commission is able to make a statement on this issue tonight, to which Mr. Hunt informed him they are not.

g. Kelly Woodall: Gymnastics Staffing

Mr. Kelly Woodall stated that, while he is a supporter of recreation and sports, he doesn't understand why there was an increase of \$364,000 between FY 2023 and FY 2024 from having separated its budget out from the Recreation Department as a whole. He wants to know why this program was separated out in the first place? Chairman Akin informed him that the purpose of separating out the gymnastics budget is to be able to more clearly answer questions that had been brought up about this program in the past. Additionally, the increase in question was not an increase but the result of money being moved between funds. Mr. Woodall doesn't understand why the gymnastics program has salaried staff while other sports programs do not.

h. Jimmy Dean: Gymnastics

Mr. Jimmy Dean expressed his support of the Commission continuing to fund the gymnastics program. He urged them to allow management and the Recreation Board the opportunity to continue operation of all the sports programs that are offered, including gymnastics. While some would argue that the County should only provide for the basic needs of the citizens, he would argue that there is nothing more important than the youth, and there are few things more important to youth than organized recreation programs. He has spent his entire career in public service of some kind, and one thing he has learned is that you don't mess with the kids.

i. Paula Hanington: FY 2025 Budget and Gymnastics

Ms. Paula Hanington voiced her concerns about the fiscal soundness of the County. She feels that the gymnastics program is given favoritism over other sports programs, stating that while the gymnastics program employees full time coaches the other sports operate with volunteers. Ms. Hanington stated that when the gymnastics program was taken over by the County in 2016 it had a break-even budget, but now the taxpayers are having to foot 54% of the cost. She understands that the gymnastics program also has a summer daycare under it, however she feels that it is not the role of the County to provide daycare. When the rent for the facility that the County has leased for gymnastics since July of 2016 is added up, it comes out to over \$300,000. She feels that this five-year lease is questionable as one Commission should not be able to bind another Commission. She went on to stated that the combination of the debt for the hospital and new admin building is \$37 million and that the economy could plummet. She feels the Commission should allow taxpayers to review every line item of the budget.

CONSENT AGENDA:

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

- a. Consider/Approve Amendment to March 26, 2024 Departmental Budget Meeting Minutes
- b. Consider/Approve May 20, 2024 Executive Session Minutes

- c. Consider/Approve June 17, 2024 Regular Meeting Minutes
- d. Consider/Approve June 17, 2024 Work Session Minutes
- e. Consider/Approve June 24, 2024 Called Meeting Minutes
- f. Consider/Approve June 26, 2024 Called Meeting Minutes
- g. Consider/Approve Land Use Agreement with US Forest Service for Helicopter Base at Airport
- h. Consider/Approve FY 2024 Audit Engagement with Rushton & Company
- i. Consider/Approve 2024 Equal Employment Opportunity Plan (EEOP)
- j. Consider/Approve Authorizing Chairman to Sign Documents Necessary for Habersham County to Participate in the National Opioid Settlement with Kroger as a Subdivision of the State of Georgia
- k. Consider/Approve Alcohol License for Nacoochee Valley Grill/Dugout located at 6725 Hwy 17 in Clarkesville for Malt Beverages, Wine and Distilled Spirits for Consumption on Premises

REPORTS:

- a. County Manager's Report: Alicia Vaughn, County Manager

APPOINTMENTS:

BOARD OF TAX ASSESSORS

Appointment Will Serve Remainder of 3-Year Term

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

Motion by Commissioner Tench, seconded by Commissioner Harkness, and voted unanimously (5-0) to appoint Sonya Turgeon to the Board of Tax Assessors contingent to her turning in an application and her supervisor's approval of her participation.

A citizen spoke up during the middle of the vote for this appointment saying that she wanted to volunteer for this appointment. Commissioner Akin informed her that the Commission is always accepting applications for the Boards, Commissions and Authorities and that these can be found online or that she can reach out to County Clerk Brandalin Carnes.

UNFINISHED BUSINESS: None

NEW BUSINESS:

a. Consider/Approve Ground Leases for Construction and Leasing of Hangar Facilities

Airport Consultant Phil Eberly (Lead Edge) addressed the Commission, informing them of the success of the grand reopening event that was held last week at the airport, which celebrated the history of the airport and the progress made. Regarding this agenda item, he reminded the Commission that a request for proposal (RFP) was put out for airport hangars to be built on four 60' x 60' hangar spots for a 20-year lease term. The respondents would invest in and build the hangars and after 20 years they would revert to the County's ownership. There would be no cost to the county other than running electric to the sites. The RFP's were advertised for thirty days and they only had two respondents, Mr. Charles Brammer Jr and FBO Drive. Airport Commission member Andy Anderson is the Managing Member for FBO Drive. Those respondents were scored, and the Airport Commission and Airport staff are recommending that both respondents be awarded one site each and that the RFP be put back out for another thirty days for the other two sites. These two sites alone will bring in potentially \$10,000/year in rental once the hangars revert to the county. They will also bring in approximately \$64,000/year in combined total ad valorem. They should also generate around \$237,000/year in fuel sales with the county receiving whatever the profit markup on this would be. The approximate combined value of the two hangars themselves would be around \$450,000, which would be reverting to county ownership after the twenty-year term is up. He reminded the Commission that, while the county retains ownership of the land itself, the hangars themselves would be taxable. These hangars are constructed of metal with 18 ft door openings. Commissioner Akins reminded everyone that the Commission approved this RFP prior to it having been released, and that they had shortened the term of the ground leases to twenty years at the suggestion of Commissioner Harkness.

Motion by Commissioner Harkness, seconded by Commissioner Mealor to approve signing a ground lease for construction and leasing of hangars with Charles Brammer Jr. and FBO Drive and to readvertise the two remaining sites. Motion carries unanimously (5-0).

b. Consider/Approve Contract with Go Sports Warehouse for Youth Athletic Uniforms for Parks and Recreation

Financial Administrator Kiani Holden addressed the Commission, stating that they may have noticed an increase in the number of contracts that are coming before them for approval. This is a result of finance trying to stabilize costs for items that they purchase often or in large quantities. The Recreation Department asked about putting the youth athletics uniforms out for bid, which the Finance Department facilitated. The lowest cost, most responsive proposal that was received was from Go Sports Warehouse for \$70,135, which includes a \$2,000 sponsorship. This is about a \$24,000 decrease from what was actually paid in FY 2024. The cost of these uniforms is recouped from the fees that are charged to the sports participants when they register. Commissioner Akins inquired as to whether the company will be able to deliver the uniforms in a timely manner. Ms. Holden informed him that one of the terms that was included in this proposal is that they must have a three-week turnaround from the time the order is placed. Recreation Department Director Brooke Whitmire has worked with this company before, and they have actually driven the uniforms to the facility for delivery when necessary.

Motion by Commissioner Palmer, seconded by Commissioner Mealor, and voted unanimously to approve the contract with Go Sports Warehouse for the provision of youth athletic uniforms. Motion carries unanimously (5-0).

- c. Consider/Approve Rural Fire Defense Cooperative Lease Agreement and MOU with the Georgia Forestry Commission

Emergency Services Director Jeff Adams addressed the Commission. This Memorandum of understanding with the Georgia Forestry Commission is to continue the lease agreement on four of the tankers the County has. The Georgia Forestry Commission provided the pumps and tanks while the county has provided the chassis underneath them. There is no cost to the County associated with this agreement, which has been in place since 1996.

Motion by Commissioner Mealor, seconded by Commissioner Harkness, to approve the Rural Fire Defense Cooperative Lease Agreement an MOU with the Georgia Forestry Commission. Motion carries unanimously (5-0) to approve.

- d. Consider/Approve Purchase of One (1) Pre-Owned 28' La Boit Veterinary Mobile Clinic for Animal Care & Control with Donated Funds

Animal Control Director Madi Nix addressed the Commission. This mobile clinic was originally listed for \$100,000 but she was able to negotiate the price down to \$75,000. Animal Control recently received a gift of \$100,000 from an estate. They would like to use this donation to purchase the mobile clinic as it will help the shelters' finances as well as the community. It will be parked at the animal shelter with the hopes that they can recruit local veterinarians to donate their services at low costs to the shelter and, if it is not a liability issue, eventually to the public.

Motion by Commissioner Harkness, seconded Mealor, to approve the purchase of one (1) pre-owned 28' La Boit Veterinary Mobile Clinic for Animal Care and Control from Pet Vet in Savannah, GA in the amount of \$75,000 using donated funds. Motion carries unanimously (5-0).

- e. Consider/Approve Award of Project LMIG 2024-21406

Public Works Director Jerry Baggett addressed the Commission. The Local Maintenance & Improvement Grant (LMIG) is a grant that the county receives annually from the Georgia Department of Transportation for the purpose of roadway improvements. For FY 2024, Habersham County received an initial grant of \$815,301.73, which requires a 30% match. In addition to this initial grant, the state had an additional \$250 million dollar surplus in their budget and issued additional funds to the County in the form of a supplemental Local Road Administration (LRA) grant of \$1,009,756.37. The bid for LMIG 2024-21406 was publicly advertised, with bids being opened on June 19th. Habersham County received four (4) proposals that were reviewed by the Finance Department an Road Department staff. The lowest, most responsive bidder was Pittman Construction Company, Inc with a total base bid of \$3,049,126.38. The project scope includes 17.59 miles of milling, patching, leveling, and resurfacing on 38 various county roads. For perspective, last year the county was only able to 9.98 miles. This increase in the number of miles of road work that can be afforded is attributed both to the supplemental LRA grant funds as well as the cost of work going down from \$210,000/per mile to \$173,000/per mile.

Commissioner Harkness asked Mr. Baggett if he had been contacted regarding Bent Twig Rd, as some residents on that road have reached out to him? Mr. Baggett informed him that the road was included for paving as part of the original bid package, however once the bid is awarded, he can go back and do a change order to this road off the list and add a different quarter of a mile somewhere in the county that needs work done. Commissioner Palmer stated that the situation with Bent Twig is unusual, as they normally don't have people contacting them requesting that the County forego paving their road, it is normally the other way around.

Motion by Commissioner Palmer, seconded by Commissioner Harkness, to award project LMIG 2024-21406 to Pittman Construction Company, Inc. Motion carries unanimously (5-0).

f. Consider/Approve Resolution 2024-07-001 FY 2025 Fee Schedule

County Clerk Brandalin Carnes addressed the Commission. The Fee Schedule is reviewed and approved on an annual basis as part of the budget process. The Department Heads are asked each year to review their respective fee schedules and compare them to other Counties as well as making sure that what is being received in revenues from fees is adequate to cover the costs associated with the services provided. The Commissioners agenda packet includes a copy of the FY 2025 Fee Schedule that shows the changes proposed by Department Heads in red, as well as a finalized draft with the changes adopted into it.

Motion by Commissioner Palmer, seconded by Commissioner Harkness, to approve resolution 2024-07-001 adopting the proposed changes to the fee schedule for FY 2025. Motion carries unanimously (5-0).

g. Consider/Approve Amended Lease Agreement with Larry Mize for E911 Radio Tower Site at 1397 Piedmont Mountain Road (Parcel 037 002)

E911/EMA Director Lynn Smith addressed the Commission. She is asking for an amendment in the lease agreement with Larry Mize to increase the amount the County pays him by an additional \$150/month. The proposed tower location has been moved, and the new location would make it visible from Mr. Mize's front porch. Moving the location of the tower will save the county around \$300,000 in grading and retainer wall costs. The County is currently paying Mr. Mize \$1200/month to lease the site. The additional \$150/month increase would put the monthly lease payment at \$1350/month.

Commissioner Akins asked Ms. Smith if she could give an update regarding the radio system project? Ms. Smith informed him that all the radio towers are up except the one that is to be located on this property that the County is leasing from Mr. Mize. Most of the control buildings and generators are also located at the tower sites. In the next few months, they will be going to Florida to view the radio equipment in operation at the staging site prior to it arriving here in Habersham County. Mrs. Vaughn informed the Commission that Attorney Hunt is drafting an IGA for Franklin County to sign to join onto the radio system, reminding them that the more governments that join the system the lower the cost for everyone who is on the system. This also has the benefit of interconnectivity with backup cores in the other counties that would keep the system from ever going offline.

Motion by Commissioner Mealor, seconded by Commissioner Harkness, to approve the increase payment for the land lease agreement with Larry Mize for the OneMize tower site from \$1,200/month to \$1,350/month. Motion carries unanimously (5-0).

- h. Consider/Approve Indemnity Agreement with Communications International for Construction of E911 Radio Tower at 1397 Piedmont Mountain Road (Parcel 037 002)

E911/EMA Director Lynn Smith addressed the Commission. The surveyor found three different plats for the property on which the OneMize tower is to be located. Two of the plats listed both Larry Mize and Terry Mize as owners, however the plat that is recognized by Habersham County is the one that lists Larry Mize as the sole owner. Mr. Larry Mize is the individual that the County has a lease agreement with for the tower site. This agenda item is to change the image and verbiage of the indemnity agreement to reflect the new tower location. Attorney Hunt informed the Commission that the concern that CI has is that they wanted to try to locate the tower site within all three plats so that there would not be any legal issues, however the fact of the matter is that the first plat is the only one that gives him title, so long as they stay within the boundaries of that plat everything is good. This is essentially a title commitment.

Motion by Commissioner Harkness, seconded by Commissioner Palmer, to approve signing the indemnity agreement with Communications International and Mr. Larry Mize with the tower location staying within the boundaries identified in deed book 166, page 474 and plat book 15, page 77. Motion carries unanimously (5-0).

ADDITIONAL COMMENTS

Commissioner Palmer thanked everyone for coming. He realizes that there are only a handful of people who attend the meetings monthly and try to keep up with what is going on in their local county government. He thanked everyone for coming and expressed his appreciation to the employees of Habersham County for the jobs they do every day.

Commissioner Harkness also thanked everyone for coming and the staff for their service to the citizens of Habersham County.

Commissioner Tench had no additional comments.

Commissioner Mealor reminded everyone of the called meeting of the Board of Commissioners next Monday, July 22nd.

Commissioner Akins informed everyone that the called meeting next Monday, July 22nd will be for the purpose of discussing the budget. With that in mind, he wanted to share some information with the citizens and media members present. Since his early time on the Development Authority and throughout all of his ACCG classes he has taken as a Commissioner, he has heard that there have been multiple studies that show it costs more money to provide services to residential properties than what they bring in from taxes. In 1990 the tax digest showed Habersham County as being 51% residential. This most recent tax digest shows Habersham County as being 79% residential. Most people don't agree with the 2020 census figures showing the population of Habersham County as being 47,000 people. In an effort to get an idea of the growth that is occurring, Chairman Akins reached out to Georgia Power and HEMC regarding the new meters they have added in the last few

years. Just in the past 5 years, Georgia Power has added 1,076 meters and HEMC has add 1,150 meters. HEMC states that while some of these may be well pumps, barns or outbuildings but 90% or more will be residential living structures. If you multiply these figures by at least 2.5 people per meter, there is an increase of approximately 5,565 people which would put the population over 53,000. He keeps hearing the analogy from citizens that, "In our household when the expenses go up, we have to figure out where to cut". Unfortunately, the county is not in a static environment. They are not being asked to provide the same services for the same number of citizens as they did five years ago. The only new service that he knows of that has been provided since he became a Commissioner is taking over a small gym at the aquatic center, which generates its own revenue. The population and demand for services are growing, the number of residential properties is growing. In addition to this, many of those with residential properties have an exemption that goes up to match any increase in their assessed values of their properties. Many of the people who come up to complain about their property taxes going up have this property tax exemption. He feels that the narrative regarding rampant runaway spending on the part of the Commission is irresponsible. He pointed out that many people that have engaged in public comments are recent residents. While he welcomes them to Habersham County, they should realize that it is costing more to provide them services than what is being received in taxes. While there is certainly many with minimalist mindset who feel that we should cut everything but public safety, the landfill and the roads, there are also many other taxpayers paying for these services that want things like recreational programs.

Commissioner Palmer wanted to make everyone aware of the fact that the estimated taxes listed on the property assessment notices that they received can be misleading, as this information is based on last year's millage rate. Until this year's millage rate is set, they may as well throw that part in the trash. Fortunately, the state legislators voted to change the form so that this estimated tax is no longer required to be printed on the notice. Commissioner Palmer wanted to provide some clarity regarding the exemption value freeze that many residents have, stating that even though the assessed value on their notices may have gone up, they should also see where their notice shows an increase on the exemption as well. This means the taxable amount does not change.

EXECUTIVE SESSION: Personnel, pursuant to O.C.G.A § 50-14-3(b)(2); 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 Mealor, seconded by Commissioner Harkness to enter executive session for the purpose of Personnel, pursuant to O.C.G.A § 50-14-3(b)(2); 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:

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

Motion carries unanimously (5-0) to enter executive session at 8:05 p.m.

Motion by Commissioner Palmer, seconded by Commissioner Mealor, and voted unanimously (5-0) to leave executive session at 9:14 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 Meador, and voted unanimously (5-0) to adopt the representation authorizing such affidavit as per the Attorney's recommendations.

ADJOURN

Motion by Commissioner Meador, seconded by Commissioner Harkness, and voted unanimously (5-0) to adjourn the meeting at 9:15 p.m.

Respectfully submitted,

By:



Commission Chairman Ty Akins

Attest:



County Clerk Brandalin Carnes