

HABERSHAM COUNTY BOARD OF COMMISSIONERS MEETING
6:00 P.M., MONDAY, AUGUST 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, August 19, 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 Jimmy Tench, County Manager Alicia Vaughn, County Attorney Donnie Hunt, County Clerk Brandalin Carnes, staff, members of the media and the public.

Absent was Commissioner Bruce Palmer and Commissioner Dustin Mealor.

Chairman Akins called the meeting to order at 6:02 p.m.

Commissioner Tench lead the invocation.

Commissioner Akins the pledge of allegiance.

ADOPTION OF AGENDA

Motion by Commissioner Harkness, seconded by Commissioner Tench, and voted unanimously (3-0) to approve the agenda with the following change:

Removal from the agenda of new business item j. “Consider/Approve Resolution 2024-08-002 Authorizing and Fixing Compensation for the Attorney Appointed Pursuant to O.C.G.A. Section 15-9-13(a) to Exercise the Jurisdiction of the Habersham County Probate Court Due to the Recusal of Pamela Wooley, the Duly Elected Judge of the Probate Court of Habersham County, and for Other Purposes” from the agenda.

PRESENTATIONS/ANNOUNCEMENTS:

Prior to continuing with the meeting, Commissioner Akins wished to make everyone aware of the fact that Matthew Osborne, editor of the Northeast Georgian and faithful attendee of the Commission meetings, is not present tonight due to his passing on August 13, 2024. Chairman Akins paid tribute to Mr. Osborne on behalf of the Commission. A white rose had been placed at Mr. Osbornes empty seat along with a pen and pad of paper in recognition of his absence.

- a. Employee Spotlight:
 1. Deputy Andrew Crawford

- b. Citizen Recognition: Helen Barrett

- c. Presentation: Partnership Habersham
Rope Roberts

PUBLIC COMMENTS:

Ms. Lynne Donehoo stated that she is a happily retired public educator of 32 years. She wished to first express her appreciation for the aquatic center. She feels that the staff does an excellent job in

providing good customer service and programs. She also feels that the building is well maintained, which she realizes is difficult for an older building. She realizes that the Commission does not receive thank you nearly enough. That being said, she wished to share her thoughts on the age limit for children to be able to enter into the aquatic center changing/shower/bathroom area with their parent of the opposite sex. She realizes that this age limit has been lowered from twelve years old to eight years old, however she still feels that this needs to be further lowered to six or seven years old as kids are maturing and going into puberty earlier than they used to. She realizes the reason that this situation came about because there was a mother with a male child who needed to take a shower. She feels that putting showers in the family dressing rooms that are already available at the aquatic center would alleviate several issues. Commissioner Akins assured Ms. Donehoo that he believes this is the direction that the Commission is working in as well.

Ms. Lachelle Worley owns property on the Ivy Mountain Connector. She voiced her displeasure at the fact that this is the seventh Board of Commissioners meeting that she has attended, however she has yet to hear back from anyone with the County. She is needing to work on her fence; however she is afraid to do so. She alleged that she had been threatened with eminent domain by Public Works Director Jerry Baggett, stating that he has said that if the Board of Commissioners decides not to abandon the road that the right of way will be taken from her through eminent domain. She has been told several times that Arthur Worley signed an easement, but no one can provide her any documentation proving that easement or right of way was given to the County. She stated that she is in possession of a deed that says "deeded with no right-of-way" pursuant to a small 12-foot square easement at the end of the road. She went on to allege that people are flying down Ivy Mountain Connector at 35 to 40 mph almost hitting her fence, and that no amount of gravel is going to fix that. She has provided the Board of Commissioners with a petition from other property owners on the Ivy Mountain Connector asking that the road be closed. She alleged that they are all having to pay to have their fences fixed because people are causing damage from running into them with their vehicles. Chairman Akins assured her that the Commission is working towards a resolution. He asked Attorney Hunt if the Commission is ready to make a statement at this time regarding Ivy Mountain Connector? Attorney Hunt stated that they are not ready to make a statement, adding that this matter will be a topic of the September executive session, so there will be no answer prior to that time.

Jimmy Dean feels that the public comment section of the agenda has been used to take cheap shots at the County Commissioner and County Employees, citing an instance a few months ago where a gentleman stood before the Commission and lectured the County Manager regarding who she reports to in what he felt was an attempt to demean and humiliate her. He stated that County Manager Vaughn knows that she reports directly to the Board of Commissioners, as she has been working for the past twenty years in county management positions and has several degrees in both accounting and the operation of county government. So long as it is not immoral or illegal, her job is to do what is directed by the majority of the Board of Commissioners. Mr. Dean went on to say that this same individual has accused both Commissioner Harkness and Commissioner Tench of not doing their job by not participating in the budget process. While Mr. Dean may not agree with the decisions that Commissioner Harkness and Commissioner Tench make, a "no" carries the same weight as a "yes" vote and is still participation in the process. This is democracy. Mr. Dean added that the same individual attempted to publicly embarrass Chairman Akins by telling him he should resign after Chairman Akins made statements with hypothetical examples in an attempt to get the public to understand the importance of public participation in meetings, as the Commission takes public input into consideration during the decision-making process. He feels that this person feels

that the general public is ignorant and can't see through his mudslinging, and that time will tell if this individual is just trying to get his 15 minutes of fame or if there is a more sinister motive behind the attacks. Mr. Dean thanked the Commission for their dedication to the County and the support and direction that they give the County employees.

CONSENT AGENDA:

Commissioner Harkness asked if consent agenda item “i. Consider/Approval Renewal of Service and Support Agreement with Rochem Americas for Continued Service and Maintenance of the Leachate Plant at the Habersham County Landfill” is just a renewal of a current agreement that is already in place? Solid Waste Director Johnnie Vickers confirmed that this item is just a renewal to continue services that are already being received. Rochem Americas comes quarterly to inspect the leachate plant to make sure that it is running at optimal levels and make adjustments to the parameters, pumps, sensors, membranes etc. as needed. This is an annual contract that is brought before the Commission for consideration every 12 months. Commissioner Harkness asked how much leachate is being hauled? Mr. Vickers informed him that the county has not had to pay to have leachate hauled off in quite some time, as the leachate plant has been able to process all of the leachate on-site, which saves a lot of money. Mr. Vickers went on to state that this is why it is imperative to keep the plant well maintained, as it is very delicate and complicated equipment that works on the principal of reverse osmosis in a similar manner as to how seawater is processed for use by cruise ships.

Motion by Commissioner Harkness, seconded by Commissioner Tench and voted unanimously (3-0) to approve the consent agenda.

- a. Consider/Approve June 17, 2024 Executive Session Minutes
- b. Consider/Approve July 15, 2024 Regular Meeting Minutes
- c. Consider/Approve July 22, 2024 Work Session Minutes
- d. Consider/Approve July 22, 2024 Called Meeting Minutes
- e. Consider/Approve Amendment to FY 2025 Fee Schedule for Commercial Permit Fees
- f. Consider/Approve Ratifying Acceptance of Award of BJA Adult Drug Court Discretionary Grant Program Subgrant Q23-8-008
- g. Consider/Approve Sell of Transmission Line Easement to Georgia Power for 1045 Hollywood Highway, Clarkesville Property (Parcel 102 272)
- h. Consider/Approve LMIG 2025 Grant Application
- i. Consider/Approval Renewal of Service and Support Agreement with Rochem Americas for Continued Service and Maintenance of the Leachate Plant at the Habersham County Landfill

- j. Consider/Approve Resolution 2024-08-001 Adopting Updates to the Five-Year Hazard Mitigation Plan (2024 to 2029)
- k. Consider/Approve Memorandum of Understanding with White County Fire Service to Allow their Advanced EMT Student to Attend Clinical Opportunities with Habersham County Emergency Services
- l. Consider/Approve Facility Usage Agreement with the Georgia Department of Driver Services for Motorcycle Safety Training Program
- m. Consider/Approve Renewal of Contracted Instructor Agreement with Christine Tekippe for Aqua Aerobics Class Instruction

REPORTS:

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

UNFINISHED BUSINESS: None

NEW BUSINESS:

- a. Consider/Approve Surplus and Transfer of Patrol Vehicle from Habersham County Sheriff's Office to Habersham County Board of Education for Use by Their Police Department

Sheriff Joey Terrell addressed the Commission, informing them that the Board of Education has expanded their police department to include an additional position this year and that this position will require a patrol vehicle. The Sheriff's Office has a 2015 Dodge Charger with over 213,000 miles on it that they were using as a spare vehicle that he would like to give to the Board of Education to support this new position. He informed the Commission that even though this vehicle may not be the nicest car in the fleet, it will be just fine for sitting out in front of the schools keeping the children safe. He feels that, though the title for the vehicle says "Board of Commissioners", the true owner of this vehicle is the taxpayers and moving the vehicle over from the Board of Commissioners to the Board of Education has no net effect on the taxpayers. Once the transfer is approved, the Board of Education will remove the Sheriff's Office markings and re-mark the vehicles. To put things into perspective in regard to the longevity of patrol vehicles, he added that studies have shown that with intensity of the use that law enforcement vehicles receive actually doubles their mileage in terms of wear and tear.

Motion by Commissioner Harkness, seconded by Commissioner Tench and voted unanimously (3-0) to approve.

- b. Consider/Approve Task Order #14 with Lead Edge Design Group for Design, Bid and Construction Phases of Airfield Lighting Project at Airport

Amanda Rostin, Vice President of Lead Edge Design Group, addressed the Commission. Airfield projects are required about every 20 years, as this is the approximate useful life of an airfield lighting system. The current lighting system at the Habersham County Airport is a quartz system, and it is reaching the end of its useful life. Last fall, application for a new airfield lighting system were submitted to GDOT as part of the approved CIP. The County has just received notification of a tentative allocation from GDOT for moving forward with the airfield lighting project. Some of the benefits of this new system will be that it is LED which leads to easier maintenance and significant energy savings as opposed to the quartz system. This will also improve the safety, reliability and function of the system. The approximate timeline involves completing the design and submitting plans to GDOT by December of 2025 to go to bid by May 2025 if GDOT approves. The project should be completed by fall of 2025. This agenda item is asking for approval for a task order for Lead Edge Design Group to complete the engineering services for the airfield lighting, which includes design, bid and construction. The charge for these services is \$123,000. The Airport Commission voted to recommend approval of this task order to the Board of Commissioners.

Motion by Commissioner Harkness, seconded by Commissioner Tench and voted unanimously (3-0) to approve.

- c. Consider/Approve Acknowledgement of Receipt of GDOT Tentative Allocation Letter for Airport Lighting Project and Authorization of Chairman to Sign Response Letter Confirming Intent to Proceed with the Project

Amanda Rostin, Vice President of Lead Edge Design Group, addressed the Commission. This agenda item is for the purpose of accepting the GDOT tentative allocation letter dated July 31, 2024 and send confirmation to GDOT of intent to proceed with the airfield lighting project. The letter that was sent by GDOT outlines that the state is tentatively allocating funds for the construction of the airfield lighting project of \$600,000 with a 25% local match of \$200,000. The reason this allocation is considered “tentative” is that the final contract will be based on actual bid amounts. Once the bids are received, they will be brought before the Commission for approval and a contract will be written using the actual bid amount. Ms. Rostin wanted to make everyone aware of some background regarding where this tentative allocation funding is coming from, informing them that the state had a surplus budget of \$1.5 billion for infrastructure in FY 2024 and the Georgia General Assembly allocated \$98 million of this surplus to airport aid. Out of 103 public use airports in Georgia only 1/3 received funds from this surplus, with Habersham County being one of those chosen.

Motion by Commissioner Harkness, seconded by Commissioner Tench and voted unanimously to approve (3-0).

- d. Consider/Approve Intergovernmental Agreement with Hall County for their Acceptance and Payment for Habersham County Recyclables

Solid Waste Director Johnnie Vickers addressed the Commission. This intergovernmental agreement will enable Habersham County to sell its OCC (post-use corrugated cardboard) and fiber (paper) recyclables to Hall County. Habersham County’s current vendor for paper products will no longer be servicing Habersham County at the end of this quarter. This will allow Habersham County to continue to recycle paper products and not dispose them into the landfill, which is an important part

of the recycling initiative for the County. On a monthly basis, Hall County shall issue a payment to Habersham County for one half (1/2) of the existing market rate for OCC cardboard delivered in that month and in the amount of \$20.00 a ton for all mixed fiber (paper) products. Currently Habersham County loses money on paper products, so this intergovernmental agreement is an improvement. Chairman Akins asked if Habersham County does not have all of the means to be able to haul and transport these recyclables itself? Mr. Vickers informed him that the landfill has just recently purchased a roll of truck, which will allow them to be able to haul products to Hall County where it can be picked up by vendors once Hall County processes them at their plant. The issue with hauling it directly to vendors is that Habersham County does not have a processing facility that would allow them to store the products adequately. When these products get wet it diminishes their value. Haul county has a new bailer that allows them to produce 100 bails in 7 hours and they have a facility that can store up to 200 bails. Commissioner Tench asked Mr. Vickers if had checked with Stephen's County and Banks County about their interest in taking Habersham County recyclables? Mr. Vickers informed stated that to his knowledge, they would not be able to process the amount of recyclables that Habersham County is generating and they would not pay for the fiber (paper) products. Chairman Akins asked, given the agreement allows for termination with only thirty days notice, if Mr. Vickers could contact Bans and Stephens County to confirm this? Mr. Vickers stated that he could. Chairman Akins asked Commissioner Tench if this was acceptable to him and Commissioner Tench agreed.

Motion by Commissioner Harkness, seconded by Commissioner Akins to approve. Motion carries 2-1 with Commissioner Tench dissenting.

Commissioner Tench stated that he did not want to approve the agreement until this question had been answered. Commissioner Harkness informed Commissioner Tench that this agreement can be changed later if needed after Mr. Vickers has made his inquiries.

- e. Consider/Approve Intergovernmental Agreement Between Habersham County Board of Commissioners, Habersham County Sheriff's Office and Habersham County School District for School Resource Officer Program

Chief Financial Officer Tim Sims addressed the Commission. There has been \$1.1 million budget for the School Resource Officer program, which consists of the pay, benefits and operating costs of (1) supervisor and thirteen (13) officers. When Mr. Sims first started with the County, the cost of these officers was split with the Board of Education paying 70% and the Board of Commissioners paying 30%. There was then an agreement to change this split to having the Board of Education pay 80% and the Board of Commissioner paying 20%. This Board of Education is now agreeing to reimburse the Board of Commissioners for 100% of the actual costs of these personnel. This IGA has already been approved by the Board of Education, it now must be approved by the Board of Commissioners to become effective.

Motion by Commissioner Harkness, seconded by Commissioner Tench and voted unanimously (3-0) to approve.

f. Consider/Approve Purchase of Four (4) New Baseball Field Scoreboards from Electro-Mech for the Aquatic Center Ballfields

Chief Financial Officer Tim Sims addressed the Commission. The original project was put out to bid back in May for the Diamond Memorial site. The responses that were received were favorable with a savings of \$20,000. Finance went back to Electro-Mech and asked them about getting four (4) more scoreboards using this same pricing, as the Commission has included the cost of replacing the aquatic center ballfield scoreboards into this FY 2025 budget as part of Parks and Recreation's CIP. Electro-Mech agreed to honor their bid pricing for an additional four (4) more scoreboards. Adding these scoreboards now will save approximately \$25,000 on the entire project from what was budgeted. Commissioner Akins asked if everyone was satisfied with the scoreboards that were ordered previously? Mr. Sims informed him that these have not yet been installed, as there is a four-to-six-week lead time from when they are ordered. This agenda item will increase the order by another four scoreboards, and they will all be delivered and installed at the same time which would save the County the cost of a second installation fee.

Motion by Commissioner Tench, seconded by Commissioner Harkness and voted unanimously (3-0) to approve.

Commissioner Tench asked if there are any plans in the future to improve the stairway that goes from the Dewey Tench Pavilion to the baseball fields? County Manager Vaughn informed him that she has discussed this with Facilities Maintenance Director Mike Bramlett, and he has ideas, however an obstacle to this would be coming up with the funding.

g. Consider/Approve Installation of Fairgrounds Sign by Metro LED

Chief Financial Officer Tim Sims addressed the Commission. The initial quotes that were received for replacing the sign at the fairgrounds ranged from \$50,000 to \$75,000, however he feels that this may have been due to the fact that the vendors who were giving quotes didn't have specifications about what the County wanted. This sign replacement was put out to bid, and they are recommending to move forward with using MetroLED as the vendor. MetroLED's quotes price was \$39,356.00, which is approximately \$15,000 under what was budgeted for the purchase and installation of the sign. It will take about 6-8 weeks for MetroLED to order the necessary materials, and they will have to demolish the old sign. During the bid process, it was discovered that the old sign fell within a Georgia Power easement, so the location of the new sign will be moved outside of this easement.

Motion by Commissioner Harkness, seconded by Commissioner Tench and voted unanimously (3-0) to approve.

h. Consider/Approve Voting Delegate for ACCG Legislative Leadership Conference

County Clerk Brandalin Carnes addressed the Commission. ACCG is asking for counties to appoint a voting delegate to represent their respective Commissions at the business session of ACCG's 2024 Legislative Leadership Conference on October 10th in Athens. This delegate will vote on ACCG's 2025 policy agenda and legislative priorities. ACCG acts as an advocate on behalf of Georgia County Governments and lobbies on their behalf. Ms. Carnes informed them that at this time, the only individuals that are registered to attend the 2024 ACCG Legislative Leadership Conference is

Commissioner Palmer, Commissioner Tench and County Manager Vaughn, so it is suggested that the delegate be selected from one of those individuals.

Motion by Commissioner Harkness, seconded by Commissioner Akins, and voted unanimously (3-0) to appoint Commissioner Jimmy Tench as the voting delegate for Habersham County for the 2024 ACCG Legislative Leadership Conference.

- i. Consider/Approve Transfer of 3.5586 Parcel of Land to Georgia Mountain Women's Center, Inc to Fulfill Requirements of CDBG Grant

Attorney Hunt addressed the Commission. Twenty years ago, the Georgia Mountain Women's Center, Inc transferred this 3.5586 parcel to the Habersham County Board of Commissioners so that the Habersham County Board of Commissioners could then in turn apply for a Community Development Block Grant (CDBG) from the GA Department Community Affairs (DCA) for the purpose of constructing a professional care and treatment center for battered women. The reason for this is that only local governments are eligible to apply for CDBG funds. Individuals and non-profit entities are not eligible to apply directly and must partner with a local government. The DCA awarded a \$500,000 block grant for the purpose of constructing the facility and the Georgia Mountain Women's Center provided the remaining funds needed the construction. There was no cost to Habersham County, as the county was only acting as a pass-through entity for the grant funds. The County has owned the property for the past twenty years and leased it back to the Georgia Mountain Women's Center at no cost with the only requirement being that they comply with DCA's rules and use the building to provide professional care and treatment services to battered women for the entirety of the twenty-year period. The lease purchase agreement has a provision that after September 2006 the Board of Commissioners could discuss in a regularly scheduled meeting the transfer the facility and land back to the Georgia Mountain Women's Center prior to the termination of the agreement. The twenty year agreement ends today, August 19, 2024. The purposes of this agenda item tonight is to request approval for the Chairman to sign a warranty deed transferring the property and building back to the Georgia Mountain Women's Center. Commissioner Tench asked where the property in question was located, and Attorney Hunt informed him that he is not able to disclose the location publicly due to the fact that it is a center for battered women.

Motion by Commissioner Tench, seconded by Commissioner Harkness and voted unanimously (3-0) to approve.

- ~~j. Consider/Approve Resolution 2024-08-002 Authorizing and Fixing Compensation for the Attorney Appointed Pursuant to O.C.G.A. Section 15-9-13(a) to Exercise the Jurisdiction of the Habersham County Probate Court Due to the Recusal of Pamela Wooley, the Duly Elected Judge of the Probate Court of Habersham County, and for Other Purposes~~

This item was removed during the adoption of the agenda.

ADDITIONAL COMMENTS

Commissioner Harkness thanked everyone who came to the meeting. He expressed on behalf of the Commission that they would miss Mr. Matthew Osborne, and that he was a great person, father, husband and boy scout leader. Commissioner Harkness stated that he really came to respect Mr. Osborne and cherish him as a friend, and that you could always count on him. Commissioner Harkness also requested that if the public know that if they know of anyone who needs to be honored, that they get in touch with their Commissioners, the County Manager, the County Clerk or the Deputy Clerk. He ended with the sentiment that the problem in life is that we think we have time, but time is the greatest thief known to man.

Commissioner Tench had no comments.

Commissioner Akins thanked everyone for attending the meeting.

ADJOURN

Motion by Commissioner Harkness, seconded by Commissioner Tench and voted unanimously (3-0) to adjourn the meeting at 7:30 p.m.

Respectfully submitted,

By: _____
Commission Chairman Ty Akins

Attest: _____
County Clerk Brandalin Carnes

DRAFT