

**HABERSHAM COUNTY BOARD OF COMMISSIONERS
MEETING MINUTES
6:00 P.M., MONDAY, SEPTEMBER 16, 2024
HABERSHAM COUNTY COURTHOUSE
JURY ASSEMBLY ROOM
295 LLEWELLYN ST, CLARKESVILLE, GA 30523**

The Habersham County Board of Commissioners held a monthly meeting that was scheduled for Monday, September 16, 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 Mealor, 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 6:11 p.m.

Commissioner Harkness lead the invocation.

Commissioner Akins lead the pledge of allegiance.

ADOPTION OF AGENDA

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

PRESENTATIONS/ANNOUNCEMENTS:

- a. Employee Spotlight:
 - 1. Joel Norton- Emergency Services

PUBLIC HEARINGS: None

PUBLIC COMMENTS:

- a. Dale Latty: Requests that construction on new animal control facility be delayed for 90 days to further review of ways to cut costs.
- b. ~~Doug McDonald~~: Mr. McDonald had signed up for public comment regarding Airport Hangars but was not present at the meeting.
- c. Cecily Nich- Support for moving forward with construction of new animal control facility and county provided spay and neuter services.
- d. Janette Byron- Support for moving forward with construction of new animal control facility.
- e. Randall Caudell- Support for moving forward with construction of new animal control facility.
- f. Katherine Warwick- Support for moving forward with construction of new animal control facility.
- g. Thomas Cossick- Complaints regarding noise from private events at fairground and request that event organizers be required to fund law enforcement presence at events.

- h. Debra Paff- Support for moving forward with construction of new animal control facility.
- i. Donna Shirley- Support for moving forward with construction of new animal control facility.
- j. Erick Holbrooks- Support for moving forward with construction of new animal control facility.
- k. Mack Palmer- Wants the county to stop focusing on building facilities cheaply and start focusing on building facilities that that account for future growth and will have longer usable life. also reminded that the commissioners represent county employees as well as taxpayers and to do right by the employees or continue to wonder about turnover.
- l. Michelle Worley- Continued request for response in regard to her request for ivy mountain connector to be abandoned by the county.
- m. Ronnie Gibbs- Requests that construction on new animal control facility be delayed for 90 days to further review to ways to cut costs.
- n. Bob Guthrie- Requests that construction on new animal control facility be delayed for further review of ways to cut costs.

CONSENT AGENDA:

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

- a. Consider/Approve August 19, 2024 Regular Meeting Minutes
- b. Consider/Approve Purchase of Seven (7) Additional Doors for Aquatic Center from Chattahoochee Professional Doors
- c. Consider/Approve Contract with Vulcan Inc. for Traffic Control Supplies for Road Department
- d. Consider/Approve Purchase of High-Density Shelving for Use in Environmental Health Department Office
- e. Consider/Approve Contracted Instructor Agreement with Steven Rohrabacher for Aikido Classes
- f. Consider/Approve Transit Title VI Agreement Plan and Related Documents Necessary for Compliance with 1964 Civil Rights Act
- g. Consider/Approve Authorizing Chairman to Sign All Related Documents for the FY 2026 5311 Transit Grant with GDOT
- h. Consider/Approve Transfer of Airport Hangar G-4 Lease Agreement from Mike Stuckey to James Butterworth
- i. Consider/Approve New Lease Agreement with James Butterworth for Airport Hangar G-4
- j. Consider/Approve Agreement with Piedmont University for Trunking Network Extender

- k. Consider/Approve MOU with Tallulah Falls School for Use of Dewey Tench Pavilion and Fairgrounds as Reunification Site for Evacuations
- l. Consider/Approve Memorandum of Agreement to Provide Clinical Opportunities with Habersham County Emergency Services to Students of Criticare Medical Institutes, Inc.
- m. Consider/Approve Alcohol Sales Renewal Application for D and G 2024 Inc (dba Riverbend Store) located at 1941 Hwy 105 in Demorest for Malt Beverage and Wine Package Sales
- n. Consider/Approve Purchase of American Dish Service High Temp Dish Machine for Jail Kitchen

REPORTS:

- a. County Manager's Report: Alicia Vaughn, County Manager
- b. Departmental Report: Madi Nix, Animal Control Director

APPOINTMENTS: None

OLD BUSINESS: None

NEW BUSINESS:

- a. Consider/Approve Resolution 2024-09-002 for Abandonment and Conveyance of Smokey St.

Motion by Commissioner Palmer, seconded by Commissioner Meador, and voted unanimously (5-0) to approve.
- b. Consider/Approve Resolution 2024-09-001 Restating and Re-establishing the Habersham County Recreation Advisory Board and For Other Purposes

Motion by Commissioner Meador, seconded by Commissioner Palmer, and voted 4-1 to approve with Commissioner Tench dissenting.
- c. Consider/Approve Authorizing Chairman to Sign the TEFRA Approval for the Extension of Bonds Issued by the HCDA on Behalf of Piedmont University After Required Advertisement of Public Hearing

Motion by Commissioner Harkness, seconded by Commissioner Meador and voted unanimously (5-0) to approve.
- d. Consider/Approve Ratifying Acceptance of GEMA Grant Award and Purchase of Two (2) Generators in the Amount of \$331,700 and Authorization of Chairman to Sign and Execute the Grant Award Documents

Motion by Commissioner Harkness, seconded by Commissioner Palmer and voted unanimously (5-0) to approve.
- e. Consider/Approve Resolution 2024-09-003 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

Commissioner Harkness recused himself from the discussion and vote on this item due to the fact that he is a local attorney, and this matter involves local judges. Commissioner Harkness exited the meeting room at 7:35 p.m.

Commissioner Palmer started to make a motion but noticed that the resolution specified Judge Pamela Wooley. He looked to County Attorney Hunt and County Manager Vaughn for guidance. While it was not mentioned in the meeting, the County Clerk would like to provide background regarding his confusion: The Commissioners thought that the understanding of this matter was that they would be approving a resolution that would set the compensation for all such future cases in which it is needed for whomever the probate judge may be. County Manager Vaughn and County Attorney Hunt agreed that he should leave out Judge Pamela Wooley's name from the motion so that it would be for the probate judge in general.

Motion by Commissioner Palmer, seconded by Commissioner Mealor and voted unanimously (4-0) by Commissioner Palmer, Commissioner Mealor, Commissioner Akins and Commissioner Tench to approve Resolution 2024-09-003 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 the Duly Elected Judge of the Probate Court of Habersham County, and for Other Purposes.

Commissioner Harkness re-entered the meeting room at 7:38 p.m.

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 VOTE:

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 7:39 p.m.

Motion by Commissioner Tench, seconded by Commissioner Palmer, and voted unanimously (5-0) to leave executive session at 8:55 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.

ITEMS FROM EXECUTIVE SESSION:

- a. Consider/Approve Extending Due Diligence Period for Parkside Partners for the Old Courthouse

Motion by Palmer, seconded by Commissioner Tench, and voted unanimously (5-0) to extend Parkside Partners due diligence period for the Old Courthouse for 90 days and to Authorize the Chairman to sign all related documents.

- b. Consider/Approve Creation and Funding for a Part-Time Juvenile Court Judge Position for the Mountain Judicial Circuit (to Include Banks County) in the Amount of \$60,164/annually and Cost Are Shared By Each of the Four County in the Judicial Circuit Based Upon the IGA for Circuit-Wide Shared Costs.

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

- c. Consider/Approve County Manager Alicia Vaughn's Amended Employment Agreement to Expire on December 27th

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

ADDITIONAL COMMENTS: None

ADJOURN

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

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

