

HABERSHAM COUNTY BOARD OF COMMISSIONERS
WORK SESSION MINUTES
5:00 P.M., MONDAY, OCTOBER 21, 2024
HABERSHAM COUNTY COURTHOUSE
JURY ASSEMBLY ROOM
295 LLEWELLYN ST, CLARKESVILLE, GA 30523

The Habersham County Board of Commissioners held a work session on Monday, October 21, 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 work session to order at 5:08 p.m.

Commissioner Tench lead the invocation.

Commissioner Mealor lead the pledge of allegiance.

TOPICS OF DISCUSSION

a. Discussion Regarding Value Engineered Plans for Animal Control Facility

Jerry Baggett, Public Works Director/Capital Projects Manager, addressed the Commission. He gave them a review of the timeline of the animal control facility project up to this point. This project was included back in 2018 as part of SPLOST VII with a \$1.75 million budget for an approximated 7,650 square foot facility.

In April 2022, the County contracted CROFT & Associates, Inc. to provide architectural services for the design of the new animal control facility. The average approximated cost for building this facility from the responses that were received from designers as part of the RFP process was \$350/square foot. It became apparent once the design process was underway that the 7,650 of needed square footage was greatly underestimated as it only took kennel space into consideration.

In March 2023 a change order was brought to the Commission to increase the square footage to be designed to approximately 16,000 square feet to account for the additional needs for the facility. At the time, the estimated total construction cost based on the \$350/square foot average for a 16,000 square foot facility was \$5,600,000.

Once they moved into the design/development stage they asked a **Axesse, a company who works with CROFT & Associates**, to provide a courtesy estimate of how much they thought it would cost to build the facility based on the design drawings, and it was approximated that it would be close to \$611.82/sq ft or \$10.05 million not including the cost of the site work, which they thought would be an additional \$300,000. Mr. Baggett had looked toward Fayette County's recently constructed animal shelter for perspective on the costs. Fayette County's new animal shelter measures at 6,000 square feet on 1.27 acres and the cost came in at about \$3.26 million or \$543.06/sqft. Other bidders on the Fayette County animal shelter project in July of 2023 had estimates of \$556.15/sqft, \$669.66/sqft

and \$784.82/sqft. Though the cost for their facility may have been less, it is Mr. Baggett's understanding that there was public outcry regarding the Fayette County shelter because it was under designed and did not meet the needs for which it was intended.

In August 2024, Mr. Baggett stated that the full set of drawings for the Habersham County animal control facility were put out for a bid for a construction manager at-risk. Care was taken in the bidding process so that local vendors in Habersham County and adjacent counties were notified. There were 451 total vendors directly contacted and 107 of them submitted bids. Out of these, 54 vendors were from Habersham County and 11 of those local vendors submitted bids. Sunbelt was awarded the contract for construction manager at risk and their initial proposal was for \$9.96 million which came out to \$568/square foot. Sunbelt began the process of value engineering the project to reduce the cost by approximately \$2.5 million. They will be rebid the project to get a new guaranteed maximum price based on the value engineered design drawings.

Mr. Baggett reviewed the value engineered solutions that made up the \$2.5 million in value engineered savings for the site work, building construction, and administrative costs. Included in this was \$405,000 in savings from work that could be done in-house by the Road Department for the driveway and parking lot areas and debris hauling. Mr. Baggett showed the Commission a design drawing that reflected some of the value engineered solutions that were being proposed, such as reduction in the size of the dog park, relocation of employee parking to the adoption parking lot area, removal of the incinerator (though gas and electric will be stubbed out for future addition), removal of the loading dock area, removal of the corral area, reduction of the sally port from one to two bays, removal of a drive that was intended to go to future parks and recs facilities that are planned for the property, and redesign of the kennels themselves. They are not choosing to go with the suggestion regarding changing the design of the kennels but are instead value engineering the roof to be a single sloped roof so that the savings will wash out the cost of having the extra kennel space.

One value engineered item that is not reflected in the design drawing that was being shown is that they will no longer be grading the area that was meant for future expansion of the facility. That expansion area is on the slope of a hill and it was going to have to be built up and have a slab on grade for it to be added onto in the future. Instead, they will pull the retention pond in closer to the existing facility. This change would save approximately \$50,000 to \$80,000 but would completely remove the capability of expanding the facility in the future. Commissioner Meador expressed that it is his hope that they are building a facility that will be able to meet the County's needs several decades into the future and asked for a comparison of the current shelters capacity versus the proposed shelter design. Mr. Baggett informed him that the design included 45 dog kennels at 90 sqft each and 80 cat kennels at 45 sqft each. Animal Control Director Madi Nix informed Commissioner Meador that the current shelter only has 25 usable dog kennels total. The current shelter has 80 available cat areas, but 20 of these are restricted by the USDA for use as temporary housing of 24 hours or less. Ms. Nix stated that she can only expect things to get exponentially worse in regard to the shelter population as the human population of Habersham County continues to increase, however it is her hope that they are able to implement additional programs that focus on population control so that they don't have to act as an animal warehouse. Commissioner Meador stated that he does not feel that a savings of \$50,000 to \$80,000 is worth giving up the potential for future expansion of the shelter. He feels that the Commission has to start thinking about smart expansion and that in the past they have been short sighted about planning for the future regarding these projects, citing the administrative building, the jail, and the courthouse as examples.

Commissioner Mealor stated that this project is already divisive as it is, and he doesn't feel comfortable without approving such a large cost without the ability to expand to meet future needs if needed.

Chairman Akins asked Animal Control Director Madi Nix if she could address the Commission regarding why she had requested not to implement the value engineered design of removing the second wing of kennels and just having one, long wing. Ms. Nix stated that, though it is preferred to not have kennels that face each other, it is one of the concessions that they had to make to reduce costs. The problem with this is that you not only have the dogs barking at workers and visitors, but also barking at the dog directly from them who is barking. This is really off-putting to potential adopters as the dogs seem aggressive. It is stressful for everyone including the animals, and actually causes aggressive activities in the dogs like biting at the cages and jumping at the doors due to their being overstimulated. This has a negative impact on adoption rates as well as the general wellbeing of the animals.

Commissioner Tench stated that he had received a phone call from a gentleman who use to work at the animal shelter several years ago and he had bought the land next to the animal shelter on the lower side. At that time, the property was ready to build on. He thought that Mr. Baggett may wish to check into this. Mr. Baggett informed Commissioner Tench that back when they had brought four properties to the Commission for consideration back in 2023 one of the major requirements was to make sure there was availability of both water and sewer. The current facilities septic field fails constantly due to clogs, even with a grinder in the plumbing. Commissioner Tench stated that he was pretty sure that the property that he was talking about has sewer available. Commissioner Tench asked Mr. Baggett how far the site for the new animal control facility is from the Pea Ridge landfill? Commissioner Palmer stated he believed it was round 4 to 5 miles away. Mr. Baggett stated that when they looked at the Frank Arrowood property there were grading concerns, methane gas concerns, unsuitable soil concerns, etc. For this property they have done geotechnical testing, water and sewer testing, survey and boundary topos. Those would all have to be redone if they consider a new piece of property. Commissioner Tench stated that the Pea Ridge landfill didn't have a liner, which meant that all of the wastes were leaking into the dirt and subsequently into the Chatahoochee. Mr. Baggett agreed that this would lead to unsuitable soil conditions and that they would have to pay to export those unsuitable soils. Commissioner Tench was in agreeance that the animal shelter didn't need to be on or near the old landfill.

Commissioner Palmer stated that he agrees with Commissioner Mealor in that whatever facility they build needs to have the capability for future expansion. He doesn't feel that the immediate \$80,000 savings is worth the long-range costs of not being able to add on to the facility. He too cited as examples the new administrative building already being outgrown after only five years and the ever increasing cost to finish the upper floor of the new courthouse as opposed to if it had been done 11 years ago back when it was built. Also, while he knows that it will be controversial, at some point the Commission will need to adopt some kind of spay/neuter program as reducing the unwanted pet population is the only true fix for this issue going forward.

Commissioner Harkness also agreed that the capability of expanding the facility in the future needs to remain in the design and was not worth the immediate \$80,000 savings. Commissioner Harkness stated that he is concerned about the overall cost and is not understanding how other counties are building facilities for \$4-\$6 million while Habersham's facility is going to cost \$7.5 million after \$2.5 million in value engineering. Chairman Akins reminded Commissioner Harkness that they had been

previously presented with the cost per square foot of this design in comparison to the design of similar animal shelters for other counties, and the cost per square foot is comparable. Commissioner Palmer stated that while Fayette County only spent \$3.26 million initially, the shelter was only 6,000 square feet and the kennel sizes were too small, so they are having to go back and rebuild onto their new facility. Commissioner Harkness stated that he isn't trying to put breaks on the project, but he is wanting to know if they have compared this design to the designs of shelters in other counties, stating that he never could understand the v shaped concept of the design being brought to them. Mr. Baggett expressed that this design was to separate the intake area from the adoption area. Commissioner Harkness stated that he knows of three or four other counties that have built shelters, and he feels that Mr. Baggett should contact them and ask for copies of their designs and the costs for comparison purposes. Chairman Akins reminded Commissioner Harkness that the reason why staff has gone in this direction with the design is because the Commission directed them to do so, and that all of this had come to the Commission previously as part of a preliminary plan and they directed staff to continue with it. He wanted everyone to be aware that the Commission has been involved in the process the entire time and that this is not something that Mr. Baggett and Ms. Nix concocted on their own. Mr. Baggett wanted to remind everyone that this facility is on the same property that is earmarked for a future parks and recreation facility and that the driveway costs that are being incurred as part of the animal control facility project will be a savings to the future parks and recreation project.

b. Discussion Regarding Proposed Funding for Animal Control Facility

Chief Financial Officer Tim Sims addressed the Commission, reminding them of the previous month's work session at which financial advisors from Davenport presented the Commission with funding options for capital projects. There are essentially two options that they could pursue. The first option is a certificate of participation (COP), which is similar to a lease-purchase and is the method that was used to fund the new administrative building. This option generally has the highest interest rate. The second option would be to reactivate the industrial development authority so that they can get bonds at a lower interest rate of around 3.75-4%, which is approximately 1% less than the interest rate for a COP. Mr. Sims informed the Commission that Attorney Hunt is prepared to discuss what is needed to reactivate the industrial development authority should the Commission choose to move in that direction. Attorney Hunt informed the Commission that there are not many counties that have an industrial development authority anymore. Habersham County adopted an industrial development authority back in 1964. In 1981 the new Georgia Constitution included some sunset provisions for these industrial development authorities unless the counties reinstated them, which Habersham County did. In 1964 there were only three County Commissioners, therefore the makeup of the industrial development authority at that time was seven members that included all three County Commissioners, the president of the Clarkesville Chamber of Commerce, the president of the Junior Chamber of Commerce, the president of the Demorest/Cornelia Chamber of Commerce and the president of a Demorest Civic Club. The statute indicates that a quorum is five, however later in the statute it says if there are vacancies in the position then the quorum is based on the active members. They could reinstate the industrial development authority as soon as next month by making an appointment of three County Commissioners and the president of the Chamber of Commerce. A quorum in this circumstance would require three votes for passing anything, though his opinion is that if a unanimous vote can't be made by all the members of an industrial development authority a project probably shouldn't move forward. Commissioner Tench voiced his concerns regarding giving power to another authority, to which Attorney Hunt reminded him that three of the four members would be County Commissioners. Commissioner Palmer

inquired as to whether the makeup of this authority could be changed to consist of the five active Commissioners? Attorney Hunt informed him that this is possible, however doing so would have to go through the state legislature. Commissioner Harkness voiced that he felt that the COP route would allow the Commission to maintain control, to which Commissioner Palmer replied that the Commission would still have control through the industrial development authority as three of the four members would be Commissioners. Attorney Hunt stated that in the resolution adopting the industrial development authority, they can designate that the industrial development authority can't approve any project that the Board of Commissioners has not already approved. Chairman Akins asked if the Commission would like to have time to revisit these financing options again? Commissioner Harkness felt that this would be appropriate as well. Commissioner Tench felt that everything regarding the animal control facility should be put on hold until the first of next year.

~~e. Discussion Regarding Changes to Grant, Procurement and Purchasing Card Policies~~

Due to time constraints, Chairman Akins asked Chief Financial Officer Tim Sims to hold off on discussing this item until it is presented during the new business portion of the regular Commission meeting.

ADDITIONAL COMMENTS

There were no additional comments from the Commission.

ADJOURN

Motion by Commissioner Harkness, seconded by Commissioner Tench, and voted unanimously (5-0) to adjourn the work session at 5:55 p.m.

Respectfully submitted,

By: _____

Commission Chairman Ty Akins

Attest: _____

County Clerk Brandalin Carnes