

**HABERSHAM COUNTY BOARD OF COMMISSIONERS**  
**MEETING MINUTES**  
**6:00 P.M., MONDAY, MAY 16, 2022**  
**HABERSHAM COUNTY COURTHOUSE**  
**JURY ASSEMBLY ROOM**  
**295 LLEWELLYN STREET**  
**CLARKESVILLE, GA 30523**

A regular meeting of the Habersham County Board of Commissioners was held on Monday, May 16, 2022 at 6:00 p.m. in the Jury Assembly Room of the Habersham County Courthouse located at 295 Llewellyn Street, Clarkesville, GA 30523.

Present: Chairman Bruce Palmer; Vice Chairman Bruce Harkness; Commissioner Dustin Mealor; Commissioner Ty Akins; Commissioner Jimmy Tench; County Manager Alicia Vaughn; County Attorney Donnie Hunt; County Clerk Brandalin Carnes; Individuals from the Media and Public.

Chairman Palmer called the meeting to order at 6:04 p.m.

Commissioner Harkness lead the invocation.

Commissioner Mealor lead the Pledge of Allegiance.

**ADOPTION OF AGENDA**

Motion by Commissioner Akins, seconded by Commissioner Mealor and voted unanimously to adopt the agenda as presented.

**PRESENTATIONS/ANNOUNCEMENTS:**

- a. April Employee Spotlight: Steve Worley, Road Department Superintendent. This award was not only nominated by one person but the road department as a whole.
- b. ACCG Safety Grant Check: Joe Dan Thompson, Marketing and Field Representative for ACCG presented a check for \$8,500 as part of a safety grant created through the ACCG workers comp program. The ACCG Board has allotted 1.5 million dollars for counties to purchase safety equipment to prevent injuries and workers comp claims for the years of 2022 through 2024. Examples of items that this money has been used for in the past for other counties is the purchase of body armor, turnout gear, washing machines for turnout gear, protective clothing, and equipment. Human Resources has chosen to use the money to purchase AEDs for locations in the county that previously did not have one such as the Senior Center and airport with the goal being to have an AED's for every county facility. This years grant money will fund the purchase of five AEDs.
- ~~c. United Way: Darrin Johnston~~ Mr. Johnston was unable to attend.

## **PUBLIC HEARINGS:**

- a. Map Amendment Application Z-22-01: Bowersox & Defoor Development Inc. is request to change land use district of 42.28 acre tract (Parcels #097 058 and #097 064) on Ben Jones Road from AG Agricultural District to LI, Low Intensity District for development as a residential single family subdivision.

Planning and Development Director Mike Beecham informed the Commission that the property is owned by Ben Jones Rd. The reason for the requested change is that they are wanting to eventually subdivide the property. The current zoning of AG calls for 3 acre lots whereas changing the zoning to LI would allow for 1 acre lots. During the Planning Commission's review four people spoke against the rezoning due to traffic concerns and environmental concern for the creeks on the site. Mr. Beecham reminded the Commission that this hearing is for the zoning change only and the property would still have to go through the review process for any subdividing. Commissioner Akins was wanting to confirm that this site is not on the Soque river. Mr. Beecham stated that, while there are two creeks on the property feeds the Soque, the property is not on the river itself. Commissioner Harkness stated he had received phone calls from people saying they were no informed of the planned zoning hearing and asked about the process. Mr. Beecham informed Commissioner Harkness that signage was put on the property and letters sent out to neighbors abutting the property. Commissioner Palmer voiced his concerns regarding the shared drive, knowing the history of development drives degrading after the developers are gone and then members of the community wanting the county to adopt the road. He asked if the shared drive would be built to county standards?

Petitioner Clayton Defoor stated that development that they have planned would not end using all of the available land. Out of the 42 acres he plans on part of the property to be a nature conservatory. He stated that neighboring community members had asked about their moving the driveway and he is happy to oblige. He also stated that concerns had been voiced to him regarding planned street lighting and they would not mind ditching the idea. As far as environmental concerns go, he has no plans of building any structures within 150 feet of any water. Mr. Defoor assured Commissioner Palmer that he plans to build the shared drive to county standards. No one was present to speak in opposition of the application.

Motion by Commissioner Akins, seconded by Commissioner Mealor to table the decision until the June 20<sup>th</sup> meeting. The motion carries 4-1 with Commissioner Palmer dissenting.

## **PUBLIC COMMENTS:**

- a. Wilson Elder: Aquatic Center Lifeguard Pay- Mr. Elder is a patron of the Habersham County Aquatic Center which has been closed on several occasions due to not having a lifeguard available. He would like the Commission to entertain a pay increase for lifeguards to at least \$15 per hour, as currently they make little over \$9 per hour and even with there CPR and First Aid training are making less than individuals working in fast food. In regard to the courthouse, he reminded of the importance of taking care in what happens with the property as it is in the city square and has a huge impact on the city of Clarkesville. He expressed his opinion that perhaps the Commission should just enter into a long-term lease with guidelines over what happens.
- b. Benjamin Lucas: Mr. Lucas is part owner of Yonah Coffee, which has recently started offering low alcohol content beverages like mimosas and Bloody Mary's as part of their brunch offerings. Currently, he is only able to serve these drinks after 12:30 p.m. on Sunday as opposed to 11:00 a.m. on weekdays. He would like to suggest a referendum to consider businesses being allowed to serve alcohol by the drink on Sundays starting at 11:00 a.m.

## **CONSENT AGENDA:**

Motion by Commissioner Palmer, seconded by Commissioner Meador and voted unanimously to suspend the rules to move item e & f from consent agenda and make them h and i on new business.

Motion by Commissioner Harkness, seconded by Commissioner Akins and voted unanimously to approve the amended consent agenda.

- a. Consider/Approve Minutes of April 18, 2022 Work Session
- b. Consider/Approve Minutes of April 18, 2022 Regular Meeting
- c. Consider/Approve Minutes of April 18, 2022 Executive Session
- d. Consider/Approve Minutes of May 10, 2022 Called Meeting
- ~~e. Consider/Approve Tax Affidavit 2021-15~~
- ~~f. Consider/Approve Tax Affidavit 2021-16~~
- g. Consider/Approve List of Approved Roads for Use of Speed Detection Devices
- h. Consider/Approve IGA with Demorest for Leachate Processing
- i. Consider/Approve Coroner Pay Increase
- j. Consider/Approve Ratifying Purchase of Two (2) Bushhog Mowers for Road Department.
- k. Consider/Approve Ratifying Purchase of Two (2) Tractors for Road Department
- l. Consider/Approve Ratifying Purchase of New Fire Apparatus Engine
- m. Consider/Approve Purchase of Toolboxes & Tools for Fleet Maintenance
- n. Consider/Approve Purchase of New Security Surveillance System for Detention Center

## **REPORTS:**

- a. Manager's Report: Alicia Vaughn
- b. Emergency Services Department Report: Jeff Adams
- c. Airport Commission Report: Will Regan

## **APPOINTMENTS:**

### **DEVELOPMENT AUTHORITY- 3-year term**

C. Allen Whitener (Term Expiration) 2/17/2022- Commissioner Tench's Appointment

Motion by Commissioner Tench, seconded by Commissioner Meador and voted unanimously to table this appointment until the June 20<sup>th</sup> Commission meeting.

## **UNFINISHED BUSINESS: NONE**

## **NEW BUSINESS:**

- a. Consider/Approve Lease of Old Sears Space from Ingles for Elections & Voter Registration Office and Habersham South Precinct**

Elections and Registration Director Laurel Ellison informed the Commission that the old sears space in Cornelia, GA that is owned by Ingles is the perfect location and size to house the Elections and Voter Registration office, store equipment, and hold elections for the south precinct. She has drawn up a preliminary floor based on information from qpublic and half of the site would be used for the south precinct elections while the other half would be offices and server space. There will be an ADA accessible lobby area with plexiglass for security that would allow for observation without tampering. She stated that there would be an absentee ballot room, a file room for retaining necessary records, and a board room for being able to hold meetings at the location. Obtaining this space will allow equipment that is currently being housed in rented storage to be moved out and will allow for early voting in the south district while the aquatic center holds early voting for the north district. In addition, the space that is freed up in the administrative building can be used for the use for the growth of other departments in the building. Ms. Ellison stated that, while they would love to be moved in by the November elections, Facilities Director Mike Bramlett has talked to contractors, and they all say that the timeline for the necessary renovations is about 16 months out. He is looking to see if anyone can fit the renovations in between other projects. The county does not pay on the lease while renovations are being completed, however the lease agreement only allows for 6 months max for the renovations to be done. An RFP has been issued for the design, and once this is completed an RFP will be issued for the renovations.

Motion by Commissioner Harkness, seconded by Commissioner Akins and voted unanimously to approve.

- b. Consider/Approve Annexation of 36.86 Acres (Parcels#086 017 & #086 040) by City of Cornelia**

This plans for the property being annexed are for a potential 400 unit apartment complex at corner of Level Grove Rd and Hwy 365. The proposed annexation is contiguous to existing city limits of Cornelia and does not create any unincorporated islands. The proposed zoning is R2 which is consistent with the area and the county currently has the property zoned as HI high intensity which allows for this usage. The county has no grounds for being able to block the annexation other than to prove it would cause a burden on the county infrastructure. A development this large would be considered a project of regional impact. While there may be a burden on the schools, but there is also a need in the county for affordable housing. This property is next to the four lane and one of the better locations in the county to put an apartment complex of this size.

No motions were made to object.

- c. Consider/Approve Addition of Emergency Services Director Jeff Adams to 401(a) Defined Contribution Plan for Senior Management Employees

Human Resources Director Ann Cain stated that the Emergency Services Director is considered a senior management position and thus they are seeking to add Director Jeff Adams to the counties 401(a) defined contribution plan for senior management employees.

Motion by Commissioner Mealor, seconded by Commissioner Harkness and voted unanimously to add to approve.

- d. Consider/Approve Ratifying Purchase of Two (2) Frazer 2020 F-450 Type I Ambulances

Emergency Services Director Jeff Adams informed the Commission that these two ambulances are only slightly used, with one having 5,000 and the other having 20,000 miles on them. Both have been inspected by the Frazer Dealer where one needed repair was made. The ambulance with the most mileage on it needs repairs to its MEPS system, however a new MEPS system will be purchased and ready to go when it gets serviced. Mr. Adams went on to state that, especially given the difficulty of acquiring F-450's at this time, this was a great deal that was saving the county more than \$100,000 over purchasing the vehicles new. The vendor who originally owned them had lost a contract that sent them into chapter 11 bankruptcy and led to their voluntarily giving up the vehicles to reduce assets.

Motion by Commission Harkness, seconded by Commissioner Akins and voted unanimously to approve.

- e. Consider/Approve Agreement Between Habersham County Board of Commissioners and GA DPH for Community Paramedicine's Management of Discharged Stroke Patients.

Emergency Services Director Jeff Adams informed the Commission that patients who have been diagnosed and treated for stroke are referred to this program upon being sent home by Habersham Medical Center. The goal of this program is to provide the necessary supports to keep these individuals from having complication that result in a return to the hospital. Community Paramedicine sees about 7-10 discharged patients per week and would be compensated by the Department of Public Health for these services. Chief Adams brought up that the Community Paramedicine program has received an excellence award recently for services provided to the community.

Motion by Commissioner Mealor, seconded by Commissioner Harkness and voted unanimously to approve.

- f. Consider/Approve MOU Between Hospital and Emergency Services for EMT Training

Emergency Services Director Jeff Adams stated that this is needed for getting the in house EMT training program heading in the right direction. The state requires a certain amount of clinical practice, and it is necessary to rotate through a hospital ER type clinical site, especially as students' progress into the advanced EMT portion of training, as hospital sites are better for patient contact.

Motion by Commissioner Harkness, seconded by Commissioner Mealor and voted unanimously to approve.

- g. Consider/Approve NE Helen Tower Lease with GA Power

E911/EMA Director Lynn Smith informed the Commission that Georgia Power has agreed to allow the county to have space to place radio equipment on their existing NE Helen tower at no charge.

Motion by Commissioner Harkness, seconded by Commissioner Akins and voted unanimously to approve.

h. Consider/Approve Tax Affidavit 2021-15

Commissioner Harkness recused himself from the vote due to having business with UCB and exited the meeting room at 8:00 p.m. The Commission had concerns regarding the tax value being decreased on property owned by UCB. The question was brought up as to whether they could decline to approve the property tax appeal revisions affidavit and Commissioner Meador stated that the Commission use to review these, however at one point they found out they really didn't have any say in the matter and voting on it was formality, which is why it is always on the consent agenda.

Motion by Commissioner Meador, seconded by Commissioner Akins and voted 4-0 to table this item until the June meeting.

Commissioner Harkness was brought back into the meeting room at 8:05 p.m.

i. Consider/Approve Tax Affidavit 2021-16

Motion by Commissioner Meador, seconded by Commissioner Harkness and voted unanimously to table this agenda item until the June 20<sup>th</sup> meeting.

Motion by Commissioner Palmer, seconded by Commissioner Harkness and voted unanimously to suspend the rules to amend the agenda to move additional comments to prior to executive session.

**ADDITIONAL COMMENTS:**

Commissioner Harkness thanked the employees, the media and the public for attending and stated that part of what makes America great is the ability to participate in government. He informed everyone that he was leaving in morning for Texas and asked for everyone's prayers for he and his family in their travels.

Commissioner Akin had no comments.

Commissioner Meador had no comments.

Commissioner Palmer thanked everyone for taking an active role in local government. He reminded everyone that the date of next town hall meeting is June 28<sup>th</sup> and will be on the topic of economic development. He welcomes everyone to attend.

**EXECUTIVE SESSION:**

Motion by Commissioner Meador and seconded by Commissioner Harkness to enter into executive session for purposes of discussing personnel, pursuant to O.C.G.A § 50-14-3(b)(2) and litigation, pursuant to O.C.G.A §50-14-2 at 8:10 p.m.

**ROLL CALL:**

Commissioner Akins- yea  
Commissioner Harkness- yea  
Commissioner Palmer- yea  
Commissioner Mealor- yea  
Commissioner Tench- yea

Reconvened in executive session at 8:15 p.m.

Present: Chairman Bruce Palmer; Vice Chairman Bruce Harkness; Commissioner Mealor; Commissioner Akins; Commissioner Tench; County Manager Alicia Vaughn; County Attorney Donnie Hunt and County Clerk Brandalin Carnes.

Motion by Commissioner Palmer seconded by Commissioner Mealor and voted unanimously to return from executive session at 9:15

County Attorney Donnie Hunt reported that all matters discussed in Closed 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 Palmer seconded by Commissioner Mealor and voted unanimously to adopt the representation authorizing such affidavit as per County Attorney Donnie Hunt's recommendation.

**ADJOURN: 9:17 p.m.**

Motion by Commissioner Akins, seconded by Commissioner Mealor and voted unanimously to adjourn at 9:17 p.m.

Respectfully submitted,

By:   
Commission Chairman Bruce Palmer

Attest:   
County Clerk Brandalin Carnes