

WHITE COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE WORK SESSION & CALLED MEETING HELD

MONDAY, SEPTEMBER 28, 2020 AT 4:30 P.M.

The White County Board of Commissioners held a Work Session and Called Meeting on Monday, September 28, 2020 at 4:30 p.m. in the Board Room at the White County Administration Building. Present for the meeting were: Chairman Travis Turner, Commissioner Terry Goodger, Commissioner Lyn Holcomb, Commissioner Edwin Nix, Commissioner Craig Bryant, County Manager Jason Cobb, Finance Director Jodi Ligon, and County Clerk Shanda Murphy.

Chairman Turner called the meeting to order.

Chairman Turner expressed condolences to the family of the late Joey Kastner who had served as the Division Chief of White County Animal Control. He expressed appreciation and prayers for comfort to the family upon his passing – on behalf of White County.

Mr. John Sell, Director of Community & Economic Development, presented the land use application filed by Justin Hester to redistrict property located at 3391 Hwy 129 South Cleveland, GA 30528 from C-2, Highway Business District, to R-1, Residential Single Family – on map & parcel 049C-151 / 1.04 acres. Mr. Sell stated the property was originally zoned commercial due to the location on a major corridor; however Mr. Hester had been given the property by his grandfather and planned to build a home there. Mr. Sell stated that the Planning Commission had held a public hearing on the application – at which there was no opposition – and the Planning Commission had unanimously voted to recommend approval of the application. Justin Hester confirmed the information Mr. Sell had stated. Chairman Turner asked for a show of hands in support or opposition to the application – there were no hands raised for either position.

Upon a motion made by Commissioner Nix, seconded by Commissioner Bryant there was a unanimous vote to approve the land use application filed by Justin Hester to redistrict property located at 3391 Hwy 129 South Cleveland, GA 30528 from C-2, Highway Business District, to R-1, Residential Single Family – on map & parcel 049C-151 / 1.04 acres.

Mr. John Sell presented the land use application filed by Chad Knott to request a conditional use permit on Sang Springs Trail Cleveland, GA 30528 – map & parcel 073-278 / 1.50 acres. The present use was classified as R-1, Residential Single Family and Mr. Knott was planning to place the property in a short term rental program. Mr. Sell stated that he was constructing a cabin on the property and the subdivision had amended their covenants to allow for short term vacation rentals. He informed that the Planning Commission had conducted a public hearing on the application – at which there was no opposition – and the application had been unanimously recommended for approval. Ms. Regina Berg, Cabin Rentals of Helen, represented Mr. Knott. She stated that she manages several other properties in this subdivision. Chairman Turner asked for a show of hands in support or opposition to the application – there were no hands raised for either position.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Goodger there was a unanimous vote to approve the land use application filed by Chad Knott for a conditional use permit for

the purpose of operating a short term rental on Sang Springs Trail Cleveland, GA 30528 – map & parcel 073-278 / 1.50 acres - with the land use classification remaining R-1, Residential Single Family.

Mr. John Sell presented the land use application filed by Sam Kondamudi to request a conditional use permit at 635 Yonah Mountain Road Cleveland, GA – map & parcel 059-081 / 1.01 acres. The present use was classified as R-1, Residential Single Family and Mr. Kondamudi was planning to place the property in a short term rental program. Mr. Sell explained that this was a reapplication, as the previous application had been denied several months ago. He informed that Mr. Kondamudi had met the requirements of the ordinance – by obtaining letters of support from six of the eight neighboring property owners. Mr. Sell indicated that the Planning Commission had held a public hearing on the application – at which there was no opposition and the application was unanimously recommended by approval contingent upon Mr. Kondamudi paying back lodging taxes in the amount of \$3,334.00. Chairman Turner asked for a show of hands in support or opposition to the application – there were no hands raised for either position.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Holcomb there was a unanimous vote to approve the land use application filed by Sam Kondamudi to request a conditional use permit for the purpose of operating a short term rental at 635 Yonah Mountain Road Cleveland, GA – map & parcel 059-081 / 1.01 acres. – with the land use classification remaining R-1, Residential Single Family – contingent upon the payment of back lodging taxes in the amount of \$3,334.00 plus interest & penalties.

Mr. John Sell presented the land use application filed by Trina Lovell to redistrict property located on Hiawassee Lane Cleveland, GA 30528 – map & parcel 079-132 / 1.41 acres – from R-3, Residential Seasonal District to R-1, Residential Single Family. He stated that Ms. Lovell had recently purchased the property and planned to build a home at which she would reside on a full time basis. He explained that the Planning Commission had held a public hearing on the application – at which there was no opposition – and the application had been unanimously recommended for approval. Ms. Lovell stated that she had not been aware of the R-3, Residential Seasonal classification of the property when she purchased – however confirmed the information Mr. Sell had stated was correct. Chairman Turner asked for a show of hands in support or opposition to the application – there were no hands raised for either position.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Goodger there was a unanimous vote to approve the land use application filed by Trina Lovell to redistrict property located on Hiawassee Lane Cleveland, GA 30528 – map & parcel 079-132 / 1.41 acres – from R-3, Residential Seasonal District to R-1, Residential Single Family.

Mr. John Sell presented the land use application filed by Priscilla Pearson to redistrict property located at 333 Skywood Lane Cleveland, GA 30528 – map & parcel 060C-051 and 060C-017A / 2.0 acres – from R-1, Residential Single Family to R-3 Residential Seasonal District. He stated that the subdivision covenants did not specifically allow for short term rentals; therefore Ms. Pearson opted to request redistricting of the property. He explained that the Planning Commission had conducted a public hearing on the application – at which there were attendees there to speak in opposition, however Ms. Pearson did not show up and at the subsequently rescheduled public hearing those in opposition originally were not in attendance. Ms. Pearson stated there were several legal and illegal rentals in the subdivision. She said she purchased the property in 2017 and it had been a short term rental for the seven (7) years prior, then

she occupied it as her residence from 2017-2019. Chairman Turner asked for a show of hands in support or opposition to the application – there were no hands raised for either position.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Nix there was a vote to approve the land use application filed by Priscilla Pearson to redistrict property located at 333 Skywood Lane Cleveland, GA 30528 – map & parcel 060C-051 and 060C-017A / 2.0 acres – from R-1, Residential Single Family District to R-3, Residential Seasonal District. Chairman Turner voted in favor of the motion. Commissioner Goodger and Commissioner Bryant opposed the motion. The motion passed by a 3-2 vote.

Mr. John Sell presented the land use application filed by Robert Sloane to request a conditional use permit at 3088 Skitts Mountain Road Cleveland, GA 30528 – map & parcel 065-094 / 17.16 acres – with the proposed conditional use being to place in a short term rental program with the present use of A-1, Agriculture Forestry District. Mr. Sell stated that the Planning Commission held a public hearing on the application – at which there was no opposition and the Planning Commission had unanimously recommended approval of the application. Mr. Sloane said he had spoken with the Tax Assessor's Office about the property being under a conservation covenant and if he broke the covenant he would be responsible for a fine. He stated there was 18 months left prior to the conservation expiring and he would be using this time to renovate the property. He confirmed the property would continue to be in the A-1, Agriculture Forestry District. Chairman Turner asked for a show of hands in support or opposition to the application – there were no hands raised for either position.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Holcomb there was a unanimous vote to approve the land use application filed by Robert Sloane to request a conditional use permit at 3088 Skitts Mountain Road Cleveland, GA 30528 – map & parcel 065-094 / 17.16 acres – with the proposed conditional use being to place in a short term rental program with the present use of A-1, Agriculture Forestry District.

Mr. Jason Cobb and Mr. John Sell presented a first draft of a nuisance ordinance for review by the Board. It was noted that Mary Jane Henneke, County Attorney, was still reviewing the draft and would be providing her input in the near future. Mr. Sell stated that violations under this ordinance would be dealt with as complaints were submitted and this would mainly seek to resolve the issue of junk cars, livestock / poultry running at large, and garbage – noting that currently within the county code, code enforcement did not have any means to remediate these type issues. There was a consensus of the Board that they wanted to move forward with considering a nuisance ordinance.

Upon a motion made by Commissioner Nix, seconded by Commissioner Goodger there was a unanimous vote to table considerations of the draft nuisance ordinance for thirty (30) days – until the October 26, 2020 Work Session.

Mr. David Murphy, Director of Public Safety, presented a request to the Board for the purchase of two (2) truck chassis for the replacement of two (2) wildland fire units – one of which had recently been totaled and one (F250) of which had high mileage and was overweight. He explained that he was requesting the purchase of two (2) F550 4x4 chassis for remounting of the wildland units.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Holcomb there was a unanimous vote to approve the purchase of two (2) F550 4x4 chassis from Jacky Jones Ford in an

amount not to exceed \$110,000.00- with the funding source to include insurance proceeds (\$8,187.82) and SPLOST funds.

Mr. Murphy presented three (3) items (assigned to the Fire Department) for surplus through the Govdeals online auction.

Upon a motion made by Commissioner Nix, seconded by Commissioner Holcomb there was a unanimous vote to approve the following surplus resolution – County Resolution No. 2020-11:

WHITE COUNTY BOARD OF COMMISSIONERS

RESOLUTION NO. 2020-11

TO DECLARE CERTAIN PROPERTY OWNED BY WHITE COUNTY TO BE SURPLUS PROPERTY; TO PROVIDE FOR THE DISPOSAL OF SAID PROPERTY BY ON-LINE AUCTION THROUGH GOVDEALS; TO PROVIDE FOR ADVERTISING OF SAID DISPOSITION OF SAID PROPERTY; AND TO AUTHORIZE A REPRESENTATIVE OF WHITE COUNTY TO EXECUTE ANY TITLE TRANSFERS AND BILLS OF SALE ON THE PROPERTY – WITH PROCEEDS FROM THE SURPLUS SALE TO BE DESIGNATED FOR THE SURPLUSING DEPARTMENTS OPERATIONAL NEEDS.

WHEREAS, the Board of Commissioners of White County have determined that certain County-owned property is surplus; and

WHEREAS, the Board of Commissioners of White County desires to dispose of said property through the government on-line auction and to give public notice of said disposition;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of White County, Georgia, and it is hereby resolved by the authority of the same as follows:

-1-

The Board of Commissioners of White County hereby declares that the property described in Exhibit "A" attached hereto and incorporated herein by reference is surplus and shall be disposed of by the county by government on-line auction to the highest responsible bidder for each item. All surplus personal property will be sold "as is" and must be removed from the county property by the successful bidder within ten (10) days from the award of the bid, except as otherwise provided in Exhibit "A."

-2-

The Board of Commissioners of White County reserves the right to refuse any and all bids on said property.

-3-

The County Manager is hereby authorized to execute any title transfers and bills of sale to the successful bidders on the personal property.

ADOPTED, this 28th day of September 2020.

WHITE COUNTY BOARD OF COMMISSIONERS

s/Travis C. Turner

Travis C. Turner, Chairman

ATTEST:

s/Shanda Murphy

Shanda Murphy, County Clerk

EXHIBIT A

U.S.

Rotary Air Compressor

Model MC 2 A

Duetz 1 cylinder air cooled diesel engine.

Engine will crank and run but unsure if the compressor will build air.



Breathing Air Compressor

Eagle Baron by Ingersoll Rand

Needs computer replaced

Has new 10 horsepower single phase electric motor installed.



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Kubota Zero Turn Lawnmower

Model ZG-123-S

23 horsepower Kohler engine

48 inch cut



-End of Resolution-

Mr. Murphy presented a renewal contract for veterinary services with VCA – Chestatee Animal Hospital for White County Animal Control. He stated the contract was originally effective in 2018 following a sealed bid process and the contract had a provision for a two year renewal. He stated that the services received from the vendor had been very good and he was requesting that the contract be renewed at the same pricing levels and noted this renewal would expire October 31, 2021 and the contract would have to be rebid.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Nix there was a unanimous vote to approve the renewal of the contract for veterinary services with VCA – Chestatee Animal Hospital for a two year period – to expire October 31, 2021.

Mr. Ken Payne, Director of Facilities Maintenance, presented a request to the Board for the purchase of two (2) zero turn mowers and a new field lining machine – all for use at the White County Parks & Recreation facilities. He presented bids received for the requested equipment and explained the mowers would be used for common areas at the park.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Nix there was a unanimous vote to approve the purchase of two (2) zero turn mowers from Star Equipment in the amount of \$12,400.00 (\$6,200.00 each) and a field lining machine from Sherwin Williams in the amount of \$11,520.00 – with funding in the total amount of \$23,920.00 to be designated from SPLOST funds.

Mr. Jason Cobb, along with Mr. Joel Witcher with Appalachian Technologies presented a request for the purchase of remote monitoring management software from Ninja in the amount \$7,200.00. It was explained that this one (1) software would replace three (3) different software programs currently being

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used and would save an estimated \$4,895.00 per year. They further explained this would provide for better network monitoring and remote access.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Goodger there was a unanimous vote to approve the purchase of remote monitoring management software from Ninja in the amount \$7,200.00 – with this to be funded through the IT budget.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Goodger there was a unanimous vote to make the following appointments to the White County Board of Elections & Registration effective January 1, 2021:

- Russell Mobley – 2 Year Term Begins 01/01/2021 and expires 12/31/2022;
- Dwayne Turner – 2 Year Term Begins 01/01/2021 and expires 12/31/2022;
- Marlon Caldwell – 4 Year Term Begins 01/1/2021 and expires 12/31/2024;
- Todd Marks – 4 Year Term Begins 01/1/2021 and expires 12/31/2024; and
- Louise Nix – 4 Year Term Begins 01/1/2021 and expires 12/31/2024.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Nix there was a unanimous vote to set the pay rate for the Board of Elections & Registration at \$75.00 per meeting / day effective January 1, 2021 – prior to January 1, 2021 the members will be paid at \$48 per meeting / day when observing elections activities.

Ms. Jodi Ligon, Finance Director, presented information concerning projected fund balance for Fiscal Year 2020.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Goodger there was a unanimous vote to approve a 2.5% cost of living allowance (COLA) for county employees effective October 1, 2020 – with the estimated amount of this increase for FY 21 (October 2020 – June 2021) being \$255,006.00.

The agenda for the October 5, 2020 Regular Meeting was reviewed.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Nix there was a unanimous vote to adjourn the meeting.

The minutes of the September 28, 2020 Work Session & Called Meeting were approved as stated this 5th day of October, 2020.

WHITE COUNTY BOARD OF COMMISSIONERS

s/Travis C. Turner
Travis C. Turner, Chairman

s/Terry D. Goodger
Terry D. Goodger, District 1

s/Lyn Holcomb

Lyn Holcomb, District 2

s/Edwin Nix

Edwin Nix, District 3

s/Craig Bryant

Craig Bryant, District 4

s/Shanda Murphy

Shanda Murphy, County Clerk