

**WHITE COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF THE WORK SESSION & CALLED MEETING HELD**

**MONDAY, FEBRUARY, 2019 AT 4:30 P.M.**

The White County Board of Commissioners held a Work Session followed by a Called Meeting on Monday, February 25, 2019 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 Michael Melton, County Attorney Mary Jane Henneke, Finance Director Jodi Ligon, and County Clerk Shanda Murphy.

Upon presentation of proclamation, March 4-8, 2019 was proclaimed Exceptional Children's Week in White County.

As a matter of information, Chairman Turner stated that a meeting was held with Alliant Health Plan representatives last week, during which provider network issues with the employee health insurance program were discussed. He stated that he was encouraged by information conveyed during the meeting that Health Partners and Alliant were in discussion on some possible solutions.

Mr. Rodney Nix, 88 Rodney Nix Road Cleveland, GA, presented a request to the Board for Redd Road to be paved. There were approximately eight (8) others in attendance in support of this as well. Mr. Dave Cangemi, Public Works Director, stated that the county had a deeded 30' right of way (ROW) on Redd Road. Some of the property owners disputed that amount of ROW. There was discussion of a wooden fence possibly having to be moved in order to achieve a safe width of pavement toward the front portion of the road. Chairman Turner stated that the Board would want to see at least 18 to 19 feet of pavement in addition to any necessary drainage, etc. Mr. Nix stated that residents on Bolton Road also wanted to petition the county to extend county maintenance and paving on their road as well. Commissioner Nix stated that he had always been under the impression that there was not adequate participation for paving Redd Road; however he had learned new information during the discussion. The Board of Commissioners asked that Mr. Cangemi verify the county ROW for the road, contact the property owners along Redd Road in order to gauge their interest in the county paving the road, and bring the information back to the Board at a later date for consideration as a future paving project.

Mr. John Sell, Director of Community & Economic Development, presented a draft short term rental ordinance. Mr. Sell reviewed the proposed draft stating that he believed he had included all the provisions that the Board wanted to have established in the ordinance, however he was looking for direction on where the Board wanted to proceed from this point with the development of the ordinance. Chairman Turner emphasized that this document is an initial draft and there was still a considerable amount of review needed prior to the Board taking any official actions to address the issue of short term vacation rentals in the unincorporated area of White County. Following review and discussion regarding the draft ordinance there was a consensus that an additional meeting would be necessary to devote to review of the draft ordinance in order

to move forward with the Board's determination as to whether short term rentals would be handled through the land use ordinance (and existing occupation license & lodging registration requirements) or if this would be taken out of the land use ordinance and addressed through a standalone short term rental ordinance. Specific issues within the draft ordinance which were discussed in detail were: definitions established which would exclude bed & breakfasts & hotels from the short term rental provisions, grace period to be given for obtaining the annual short term rental permit and coordinating renewals with the renewal of occupational tax certificates, enforcement procedures, method of determining capacity of rentals for classifications, relationship of subdivision covenants, and clarification of other definitions.

Mr. David Murphy, Director of Public Safety, presented recommended revisions to the White County Code Sections 26-33, 26-57, 26-58, 26-107, 26-126, and 26-128. Following a review of the proposed revisions, there was a consensus that this item would be placed on the March 4, 2019 regular meeting consent agenda.

Mr. David Murphy and Mr. Dave Cangemi presented lists of county inventory from their respective departments that they recommended be declared as surplus with proceeds of sale to return to their individual departments. The Board asked that Mr. Murphy and Mr. Cangemi discuss the truck listed on Public Safety's surplus list to determine if the Road Department had any need for the truck. There was a consensus that this item would be placed on the voting portion of the March 4, 2019 regular meeting agenda.

Mr. Dave Cangemi presented the bids received for the resurfacing of Westmoreland Road (Hwy 129 to Hwy 254). He explained that the project would be funded with Local Maintenance and Improvement Grant (LMIG) funds and county SPLOST funds. He stated that the low bidder on the project was CW Matthews at \$890,342.82 – which would be paid \$478,261.00 (LMIG) and \$412,081.00 (SPLOST) with this requiring an additional \$112,081.82 to be encumbered above what had previously been set aside for the project. There was a consensus of the Board that this item would be placed on the March 4, 2019 regular meeting consent agenda.

Mr. Joe Gailey, Director of Parks & Recreation, presented the bids received for equipment for Yonah Preserve. The noted low bidders were as follows:

- Bunker & Field Rake – Greenville Turf & Tractor @ \$12,973.74;
- 4 WD Utility Tractor – Kabe Cain enterprises, Inc. @ \$18,900.00;
- Utility Vehicle – Nelson Tractor Co. @ \$12,645.00;
- Commercial Grade / Zero Turn Riding Lawn Mower – Star Equipment @ \$12,420.00\*;

It was noted that the Board preferred to purchase a SCAG mower from Howard Brothers @ \$12,784.00 over the low bidder Star Equipment's Gravely mower.

There was a consensus of the Board that approval of the purchase of the equipment for Yonah Preserve as noted above would be placed on the March 4, 2019 regular meeting consent agenda – with the total of the equipment purchase to be \$57,302.94 and funding to be taken from the Yonah Preserve Project FF&E budget. The Board directed Mr. Gailey to bring bids for the new sets of bleachers to them once the information is received.

Ms. Mary Jane Henneke, County Attorney, presented draft amendments to the White County Alcohol Ordinance. She stated that most of the revisions noted were a matter of clean up and clarification of the ordinance, especially in relation to SB 85 which was passed in 2018 and specifically addressed regulations surrounding breweries, brewpubs, and distilleries. She stated that her understanding was initially that White County would be required to permit distilleries since the ordinance allowed distilled spirits by the drink. However, after speaking with Mr. Scheuer – an attorney with ACCG – she had received guidance from him on a legal argument against Ms. Henneke’s initial thought on this. Chairman Turner polled the Board and there was no interest on the Board of adding distilleries to the ordinance at this time. Ms. Henneke also noted that all fees were removed from the draft ordinance and would be contained in a separate fee ordinance. The issue of off-site farm winery tasting rooms was discussed and the consensus of the Board was that the off-site farm winery tasting rooms were only authorized to serve wine and they wanted the ordinance clarified in this regard – that off-site tasting rooms specifically not be allowed to serve beer and / or distilled spirits. The final issue discussed was whether primary farm winery premises should be allowed to apply for a distilled spirits consumption license – which under the current ordinance was allowed. There was a consensus of the Board that a farm winery should not be able to be licensed for the consumption of distilled spirits; however the current provision regarding the ability for licensed alcohol beverage caterers to serve distilled spirits at special events on the farm winery premises should remain. Ms. Henneke and staff were directed to bring the final revisions to the Board of Commissioners on March 4, 2019 for a vote at the regular meeting.

The agenda for the March 4, 2019 regular meeting was reviewed and approved.

The Work Session was adjourned.

Chairman Turner called the Called Meeting to order.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Goodger there was a unanimous vote to approve County Resolution 2019-03, Opposing HB 302 – Preemption of Local Building Design Standards:

**WHITE COUNTY BOARD OF COMMISSIONERS  
RESOLUTION NO. 2019-03**

**A RESOLUTION**

**Opposing House Bill 302, Preemption of Local Building Design Standards.**

**WHEREAS**, HB 302 would prohibit local governments from regulating “building design elements” in single or double family dwellings, which could negatively impact economic development efforts and harm competitiveness; and

**WHEREAS**, appropriate local design standards and land use policies create a diverse, stable, profitable, and sustainable residential development landscape; and

**WHEREAS**, HB 302 is a bill that would undermine self-determination of citizens to establish community standards as illustrated by the following:

- County and municipal officials are elected in part to make decisions about the look and feel of their communities, which fosters economic development, preserves the character of communities; and
- Counties and municipalities use design standards to ensure that the property values of surrounding property owners remain protected from incompatible development; and
- HB 302 would severely erode the ability of all 538 Georgia cities and 159 counties to address unique and community-specific quality of life issues.

**WHEREAS**, county and municipal governments use building design standards to protect property values, attract high quality builders, and block incompatible development; and

**WHEREAS**, building design standards assure residents and business owners that their investments will be protected, and that others who come behind them will be equally committed to quality; and

**WHEREAS**, local governments spend a large amount of resources studying, surveying, crafting, and defining their vision and development strategies, and design standards are an integral part of those endeavors to attract residents, businesses, and the much-coveted trained workforce; and

**WHEREAS**, development and redevelopment efforts should reflect the community and its vision while simultaneously creating a sense of place; and

**WHEREAS**, county and municipal government officials are elected to make decisions about the look and feel of their communities, and HB 302 would transfer that power from duly-elected local leaders to outside groups with little to no stake in the future or success of Georgia's counties and municipalities, including real estate developers and homebuilders; and

**WHEREAS**, building design standards neither discourage nor favor affordable housing, nor prevent the availability of certain housing types, as supporters of HB 302 purport; and

**WHEREAS**, local governments should have the ability to provide more affordable housing options without sacrificing their unique character or threatening economic growth; and

**WHEREAS**, although historic districts are protected in HB 302, which indicates an understanding that standards do in fact make sense, downtown overlays or other similar special zoning districts are not; and

**WHEREAS**, local governments should be empowered to enforce building design standards to make today's thriving county areas tomorrow's historic districts; and

**WHEREAS**, by limiting the ability of local governments to enforce building design standards in single or double family dwellings, HB 302 would negatively impact quality-of-life issues, including economic growth and the safety and welfare of the citizens of Georgia and in particular of White County.

**NOW, THEREFORE, BE IT RESOLVED BY THE** White County Board of Commissioners that this governing body voices its opposition to HB 302, Preemption of Local Building Design Standards.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be delivered to each member of the Georgia House of Representatives and Senate representing White County, and made available for distribution to the public and the press.

**RESOLVED**, this 25<sup>th</sup> day of February, 2019.

**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**

**Attest:** s/Shanda Murphy  
**Shanda Murphy, County Clerk**

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Bryant there was a unanimous vote to enter into Executive Session in order to discuss personnel and real estate.

-See The Following Closed Meeting Affidavit-

Upon a motion made by Commissioner Nix, seconded by Commissioner Holcomb there was a unanimous vote to exit Executive Session.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Nix there was a unanimous vote to adjourn the Called Meeting.

The minutes of the February 25, 2019 Work Session & Called Meeting are hereby approved as stated this 4<sup>th</sup> day of March, 2019.

**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