

WHITE COUNTY BOARD OF COMMISSIONERS
MINUTES OF THE WORK SESSION & CALLED MEETING HELD
MONDAY, MARCH 29, 2021 AT 4:30 P.M.

The White County Board of Commissioners held a Work Session & Called Meeting on Monday, March 29, 2021 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, County Attorney Mary Jane Henneke, Finance Director Jodi Ligon, and County Clerk Shanda Murphy.

Chairman Turner called the meeting to order. He recognized this date as Vietnam Veteran's Memorial Day and honored all in attendance who served in the Vietnam War era.

Mr. John Sell, Director of Community & Economic Development, presented the land use application filed by Earl Bouse to redistrict property located at 1627 Mill Creek Trail Cleveland, Georgia 30528 from R-1 (Residential Single Family District) to R-3 (Residential Seasonal District), tax map & parcel 018-005, total acreage 3.55. He stated the Planning Commission had held a public hearing on the application – at which there was significant opposition and discussion regarding the subdivision's covenant. Mr. Sell advised the Planning Commission's recommendation was to deny the application. Mr. Bouse stated that the rental unit would accommodate two (2) people, the home would never be vacant while rented, and the maximum length of stay would be three (3) nights. He stated that the covenants had expired because they had not been renewed in over 20 years. He described the neighborhood including other business operated out of homes, trailers, and horse trailers parked outside of homes, and multi-family residences with several cars parked in the driveways and yard. He stated that he operated five (5) different business out of his home and that he and his wife are responsible, seasoned people who would operate the short-term rental professionally. Mr. Bouse stated that he had already been renting this unit illegally, however he had donated all hotel / motel taxes collected to the food bank instead of remitting these to the County. Chairman Turner asked if there was anyone present in support of the application – there was no one. Chairman Turner asked if there was anyone present in opposition to the application – many individuals raised their hands.

Upon a motion made by Commissioner Nix, seconded by Commissioner Holcomb there was a unanimous vote to deny the land use application filed by Earl Bouse to redistrict property located at 1627 Mill Creek Trail Cleveland, Georgia 30528 from R-1 (Residential Single Family District) to R-3 (Residential Seasonal District).

Mr. John Sell presented the land use application filed by Sandra Durick to request a conditional use permit at 306 Scenic Drive Sautee Nacoochee, Georgia 30571, tax map & parcel 059B-005, total acreage 0.79. The proposed use was to place in a short-term rental program. The present use was R-1 (Residential Single Family District). He stated that the Planning Commission held a public hearing on the application, at which there was no opposition. He advised the Planning Commission's recommendation was to approve the application. Mr. Sell explained that this was a garage style apartment and the owners had signed an affidavit stating there are no restrictions on the property and the property was not part of a subdivision. Ms. Durick stated that her property access is through a subdivision (Mt. Yonah Scenic Estates); however her property is not part of the subdivision, she has plenty of parking, rowdiness would not be allowed, the unit would accommodate two (2) guests, and would be rented directly by her. Ms. Durick stated that she had paid homeowner's association (HOA) and had attended an HOA meeting. There was a discussion regarding whether this property is legally part of the Mt. Yonah Scenic Estates and subject to the subdivision covenants. Chairman Turner asked if any one present supported the application –

one related individual raised their hand in support. Chairman Turner asked if any one present was in opposition of the application – two (2) individuals raised their hands in opposition.

Upon a motion made by Commissioner Nix, seconded by Commissioner Holcomb there was a unanimous vote to table the land use application filed by Sandra Durick to request a conditional use permit at 306 Scenic Drive Sautee Nacoochee, Georgia 30571 for one (1) week. This would allow Ms. Mary Jane Henneke to review the documentation in order to determine if Ms. Durick's property is part of Mt. Yonah Scenic Estates and if her property is subject to restrictive covenants. This item would be discussed at the April 5, 2021 Regular Meeting.

Mr. John Sell presented the land use application filed by Debi Fry to redistrict property located at 16 Windy Acres Road Cleveland, Georgia 30528 from C-1 (Community Commercial District) to R-3 (Residential Seasonal District), tax map & parcel 045B-057, total acreage is 1.98. He stated the Planning Commission held a public hearing on this application, at which there was no opposition and the Planning Commission recommended the approval of the application. He noted that originally, Ms. Fry had planned a bed & breakfast for the location, however due to costly renovations, which would be required to bring the facility to the required code – she had decided to operate the facility as a short-term rental. Ms. Fry confirmed the information presented and spoke of how the facility had been operated as a bed & breakfast many years ago. However, she explained that with the renovations made over the years – it would be very costly to make the needed upgrades to the kitchen and for handicap accessibility. She highlighted her experience in operating lodging facilities and stated this would professionally managed. Chairman Turner asked if there was anyone in support or in opposition to the application – there were none.

Upon a motion made Commissioner Goodger, seconded by Commissioner Nix there was a unanimous vote to approve the land use application filed by Debi Fry to redistrict property located at 16 Windy Acres Road Cleveland, Georgia 30528 from C-1 (Community Commercial District) to R-3 (Residential Seasonal District).

Mr. John Sell presented the land use application filed by Tony Greenway to redistrict property located at 111 Jenny's Cove Road Cleveland, Georgia 30528 from C-1 (Community Commercial District) to R-1 (Residential Single Family District), tax map & parcel 033-017, total acreage 10.01. He stated the Planning Commission held a public hearing on the application, at which there was no opposition and the Planning Commission recommended approval of the application. Mr. Sell explained when the land use ordinance was adopted (2015) Mr. Greenway's property was zoned C-1 because there was a cabinet shop on the property. His son had recently applied for a home based business license and a home based business is not a permitted use in C-1; therefore, Mr. Greenway is requesting the rezoning of his property. Mr. Greenway confirmed the information presented and stated that he was not aware that his property was zoned C-1 and wanted to get that corrected. Chairman Turner asked if there was anyone in support or in opposition to the application – there were none.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Nix there was a unanimous vote to approve the land use application filed by Tony Greenway to redistrict property located at 111 Jenny's Cove Road Cleveland, Georgia 30528 from C-1 (Community Commercial District) to R-1 (Residential Single Family District).

Mr. John Sell presented the land use application filed by Haley Stapleton to redistrict property located at 570 Ostrich Drive Cleveland, Georgia 30528 from R-1 (Single Family Residential District) to R-3 (Residential Seasonal District), tax map & parcel 075-133, total acreage 7.0. He stated the Planning Commission had held a public hearing on the application, at which there was opposition. The neighbors had expressed concerns – mostly

related to increased traffic on the one (1) lane road. However, Ms. Stapleton had addressed the neighbors' concerns with limiting the number of cars allowed at the rental and being willing to install traffic mirrors. The Planning Commission did recommend approval of the application. Ms. Regina Berg of Cabin Rentals of Helen represented Ms. Stapleton. She explained that the house has five beds / four baths; there will be a four (4)-car limit, and a limit of 10 guests. She stated the nightly rental rate for the property would be \$600 - \$950 per night. Chairman Turner asked if there was anyone present in support or in opposition to the application – there were none.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Nix there was a unanimous vote to approve the land use application filed by Haley Stapleton to redistrict property located at 570 Ostrich Drive Cleveland, Georgia 30528 from R-1 (Single Family Residential District) to R-3 (Residential Seasonal District).

Mr. Jason Cobb presented a proposed layout for the expansion of the White County Tax Commissioners Office. He stated the expansion was necessary due to increased traffic at the office, the need for adding a second drive through, and the need for additional storage. He stated this proposed plan would add approximately 1,900 square feet to the building. Ms. Cindy Cannon, Tax Commissioner, addressed the Board stating this expansion had been discussed for several years and now it is absolutely necessary to expand the facility in order to best serve the taxpayers of White County. She noted that the proposal would add a second drive through, increase inside service windows from 6 to 8, allow for an ADA accessible window, add ADA accessible restroom facilities, and increase storage for required retention of documents. The Board expressed their appreciation to Ms. Cannon for her patience in getting this project done.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Goodger there was a unanimous vote to move forward with finalizing the expansion plans for the Tax Commissioners Office and putting the project out for bid.

Mr. Cobb presented the updated draft nuisance ordinance to the Board. He emphasized that the goal of implementing this ordinance would be the mitigation of property nuisances and hazards – not just an effort to cite property owners. He stated that most of the concerns expressed by the Board were related to inoperable cars and open storage, however he felt the latest revisions addressed those concerns. There was a consensus of the Board to move forward with scheduling a public hearing for the ordinance with a first and second reading.

Upon a motion made by Chairman Turner, seconded by Commissioner Holcomb there was a unanimous vote to table the renewal of the joint use agreement with the White County Board of Education for use of athletic facilities.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Holcomb there was a unanimous vote to allow the county's provision of COVID emergency sick leave (following expiration of the federal mandate on December 31, 2020) to expire March 31, 2021.

Ms. Jodi Ligon presented the monthly financial status report (see attached).

The agenda for the Monday, April 5, 2021 Regular Meeting was reviewed and approved.

Mr. Cobb advised that he had received approval from the Georgia Department of Transportation (GDOT) for the revisions to the Airport Road Bridge Replacement Project. He stated that GDOT has approved scaling the project down to a single span metal bridge.

March 29, 2021 – Work Session & Called Meeting Minutes (continued)

Chairman Turner announced that the Board of Commissioners would be touring the new Union County double gymnasium facility on April 12, 2021.

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

The minutes of the March 29, 2021 Work Session and Called Meeting are approved as stated this 5th day of April, 2021.

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