



**MINUTES  
AUGUST 8, 2017  
8:30 A.M.**

**STEPHENS COUNTY BOARD OF COMMISSIONERS  
HISTORICAL COURTHOUSE COURTROOM**

**PRESENT FOR MEETING:** Chairman Debbie Whitlock, Commissioners, Dean Scarborough, Dennis Bell, Stanley London and Michelle Ivester; County Clerk Beth Rider; County Administrator Phyllis Ayers; County Attorney Brian Ranck

**REGULAR MEETING**

Chairman Whitlock called the regular meeting to order and welcomed those present. Mr. Teasley gave the invocation and led the Pledge of Allegiance

**I. APPROVE AGENDA**

A motion was made by Commissioner Bell, seconded by Commissioner London to approve the agenda with correction of moving new business item #1 to old business item #1 and adding item #7 which reads: **BOARD TO CONSIDER MOTION TO ADD THE FOLLOWING LANGUAGE TO THE IGA EXHIBIT A FOR ROAD WORK ON 26 CITY STREETS. Motion carried unanimously.**

**II. APPROVE MINUTES**

- 1. JULY 25, 2017 – PUBLIC HEARING - WORK SESSION & REGULAR MEETING**
- 2. JULY 25, 2017 – PUBLIC HEARING – PROPERTY TAX INCREASE – REGULAR MEETING**

A motion was made by Commissioner Ivester, seconded by Commissioner Scarborough to approve minutes as presented. **Motion carried unanimously.**

**III. OLD BUSINESS**

- 1. DISCUSSION OF SIGN ORDINANCE**

Board directed staff to move forward with the sign ordinance and advertise for public hearing for next meeting. **No motion needed.**

**IV. NEW BUSINESS**

- 1. BOARD TO REVIEW COMPREHENSIVE PLAN DRAFT UPDATE AND AUTHORIZE CHAIRMAN TO SIGN LETTER OF RESUBMITTAL TO THE GEORGIA MOUNTAINS REGIONAL COMMISSION**

A motion was made by Commissioner Ivester, seconded by Commissioner Scarborough to authorize Chairman to sign letter of re-submittal to the Georgia Mountains Regional Commission. **Motion carried unanimously.**

2. BOARD TO CONSIDER MOTION TO ACCEPT OR REJECT BID FROM JOHN HARMON IN THE AMOUNT OF \$5,013.00 FOR THE PURCHASE OF THE FARMER'S MARKET BUILDING

Chairman Whitlock asked what the value of the property is. Ms. Ayers stated she could tell you what we paid for the building when Kenneth Peoples was Chairman, we paid \$102,600; we paid for it with SPLOST V money and not sure what the value is today. Mr. Ranck stated you can re-advertise and put a minimum bid amount. Commissioner Scarborough asked if there was a sign on the property, we definitely need to re-advertise and put a sign up.

A motion was made by Commissioner Bell, seconded by Commissioner Ivester to reject the bid from John Harmon for the Farmer's Market building. **Motion carried unanimously.**

3. BOARD TO CONSIDER MOTION TO APPROVE OR DENY REQUEST FROM THE TOCCOA-STEPHENS COUNTY HUMANE SHELTER FOR \$20,000 TO HELP PURCHASE AN ANIMAL TRANSPORT VEHICLE

Mr. Jeff Roberts, Humane Shelter Director stated the use of the transport vehicle for 1/3 of the animals that come into the shelter are transported by shelter vehicle or the receiving shelter and transported to other shelters because we do not have the basis of a vehicle to adopt our animals out. All of our animals either by shelter vehicle or when we can arrange other vehicles is transported to Gainesville for spay and neuter for adoption or remote adoptions at Pet Smart. The transport vehicle transports animals and supplies to special events like the Harvest Festival; we use it to pick up supplies at Walmart. It is used in large seizure situations for animal control to support their efforts. The current situation of the vehicle it has over 220,000 miles and has been towed for the third time in the last few weeks and is in the shop now and has water issues, oil pressure issues and wiring issues. It is an old vehicle and undependable for transporting live animals and we have a large potential for serious problems. This is a one time opportunity with grant funds to support this between the combination of City and hopefully County that we can get into a vehicle that we can get years and years of service in for the community. Commissioner Scarborough asked if the vehicle had regular schedule maintenance on it. Mr. Roberts stated he has it maintained at half the mileage because it is so old.

Commissioner Ivester stated during the budget she voted to decrease Meals on Wheels \$25,000 and as a human being cannot vote for the Humane Shelter \$20,000 over feeding the hungry. Commissioner Bell stated we are taking food out of people's mouths and he could not vote for this. Chairman Whitlock stated she serves on the Humane Shelter Board and this is a tough decision for her. She stated she likes the idea of the Humane Shelter and what their mission is; she stated she doesn't necessarily agree with it. Chairman Whitlock stated there is a difference in her opinion between the City and the County and how we treat animals. If you are just talking finances, we do not have a large tax base; the Humane Shelter is more expensive than this County can afford. In the beginning it was supposed to be fully self supportive in three years; that did not happen and it does not look like it is ever going to happen. Chairman Whitlock stated she cannot vote for the transport van and is opposed.

A motion was by Commissioner London, seconded by Commissioner Scarborough to approve the request from the Stephens County Humane Shelter. **Motion did not carry vote was 2 -3; Commissioners Bell, Ivester and Whitlock opposed.**

4. BOARD TO CONSIDER MOTION TO APPROVE OR DENY REQUEST FROM PROBATE COURT REQUESTING A PART-TIME POSITION BECOME A FULL-TIME POSITION

Glenda Ernest, Probate Judge stated she started to work in the county in 1980 and moved to Probate Court in 1983. Ms. Ernest stated if you came into her office and looked at the file cabinets they used to house five years in one file cabinet and now they are doing good to get one year in a file cabinet. Ms. Ernest stated they are doing gun permits and depending upon someone's fingerprint it can take up to an hour with one person. Ms. Ernest stated her office is really busy and she has asked for a full time employee many times and it has come to the point that she needs a full time person which would make her two full time and one part time. Ms. Ernest stated she plans to use her part time to scan records and helping out front when it is busy or one of the girls is on vacation. Our records are very important and need to be scanned and housed offsite and they are working every chance they get to get them scanned. If something happened to our courthouse we have those records preserved. Ms. Ernest stated she was begging the board to consider her request; Cindy is the only one that does probate and she needs another girl to learn. Commissioner Bell stated if we have a water leak, vital records will be ruined and stated he is 100% for getting her what she needs. Ms. Ernest stated it is important for her to take care of her office and asked the board to consider her request.

A motion was made by Commissioner Ivester, seconded by Commissioner Scarborough to approve the full-time position request. **Motion carried unanimously.**

5. BOARD TO CONSIDER MOTION TO APPROVE FY2018 BUDGET AMENDMENT FOR PROBATE COURT AND BUILDINGS AND GROUNDS AND AUTHORIZE CHAIRMAN TO SIGN RESOLUTION

A motion was made by Commissioner Bell, seconded by Commissioner Scarborough to approve the budget amendments. **Motion carried unanimously.**

6. BOARD TO CONSIDER MOTION TO PLACE A 90 DAY MORATORIUM IN THE CONSTRUCTION OF POULTRY HOUSES AND POULTRY OPERATIONS IN ORDER TO REVIEW THE CURRENT LANGUAGE OF THE LAND USE REGULATION ORDINANCE

Commissioner Bell stated we have had this long enough and we have a committee to look at this and before we take any action on it, if we are not going to let our committee look at this, why do we have a committee. Commissioner Bell stated his recommendation is to drop the moratorium and kick the verbiage back to the Planning and Zoning and lets go with it the right way. Commissioner Scarborough stated he agreed with that; if the Planning Commission does not feel they have a problem with it, it was generated when we thought they had a problem due to one of the areas of over saturation. If the Planning Commission does not feel there is an issue with it, then we need to leave it. Ms. Ayers stated she wanted to be clear you do want us to put a text amendment in front of the Planning Commission. The Land Use Committee spent 18 Tuesday's here coming up with the language we adopted. Commissioner Bell stated the Land Use Plan is a living, breathing document and everything can be changed. If it is going to be changed let's take the right steps and let the Planning and Zoning Commission look at it. Chairman Whitlock stated she thought it was redundant, you are asking the Planning Commission to look at the same thing and they sat up here and came up with this plan. Commissioner Scarborough stated not necessarily you have two different groups. The second group is the Planning Commission and they are in charge of interpreting what the Land Use Committee did item by item and issue by issue; if they have a problem with it they definitely need to look at it. Chairman Whitlock stated she finds it interesting that they came up with this Comprehensive Plan draft, a joint Comprehensive Plan for Stephens County, Cities of Avalon and Martin with things to be changed. Under the comments regarding values, strengths

and weaknesses of Stephens County and things to be changed, the last one listed is declining Agricultural Sector. Chairman Whitlock stated she finds it interesting that is in there and we are contemplating more restrictions on the poultry industry. Ms. Ayers asked what their decision was, to put it to the Planning Commission. Commissioner Scarborough stated to ask the Planning Commission if they have a recommendation. Commissioner Bell stated a lot of folks in Stephens County don't realize and they need to do some research and see how much agriculture brings into Stephens County. If we did not have agriculture we would be broke. This is not Gwinnet or Fulton, this is Stephens County and we rely on our farmers to help. Chairman Whitlock stated the biggest thing we have is cattle and poultry. Commissioner London stated if we don't place the 90 day moratorium and we don't have a corrected ordinance anybody that applies for application will fall under the old plan. Ms. Ayers stated yes, that is correct. Commissioner London stated would it not be feasible for us to place the 90 day moratorium until we get word back or a 60 day moratorium. Commissioner Ivester stated she would not vote for that. Commissioner Scarborough stated he voted for it initially to see if we had any agreement among us or we could change or amend and it doesn't look like we do, so let's move on.

A motion was made by Commissioner Scarborough, seconded by Commissioner Bell to deny the moratorium. **Motion carried 4-1; Commissioner London abstained.**

Commissioner London stated if there was going to be any changes through the Zoning Board, if we were not going to accept any recommendations from the Zoning Board he would understand; if we are not going to acknowledge any changes they may come up with why are we denying it.

7. BOARD TO CONSIDER MOTION TO ADD THE FOLLOWING LANGUAGE TO THE IGA EXHIBIT A FOR ROAD WORK ON 26 CITY STREETS

Ms. Ayers stated we signed the agreement and with most counties and cities that contract with third party contractors, it comes down to the language to include language about using GDOT specifications. If you do it in house you are not an approved GDOT contractor we didn't put that particular language in our document; however, we follow GDOT specifications. Ms. Ayers stated between she, Billy Morse, and Keith Canup this is the language we agreed on that will be added to the Exhibit A so that the Intergovernmental Agreement does not change. The language is:

*The County agrees to perform the proposed work using materials that meet GDOT specifications as tested and/or certified by the suppliers. The installation of said materials shall generally be in accordance with standard GDOT construction methods detailed in the GDOT Standard specifications. All inspections, sampling and testing of the work will be the responsibility of the City of Toccoa.*

*The cost of the project will be tracked on a road by road basis and the City shall immediately be notified should it be determined a possible overrun might occur at the end of the overall project. All work shall be ceased at that time until any potential overruns are approved and/or resolved. While the proposed project quantities are only an estimate, the City should be aware that actual field conditions may dictate the need for slightly more materials on some streets and less materials on other streets to meet the proposed pavement structure as detailed on the project spread sheet. The County shall closely monitor all the materials used at the time of installation and will keep the City informed as to the status of the quantities used on a weekly (or bi-weekly) basis.*

*If costs in excess of the \$647,947.45 are not approved by Toccoa then the County is authorized to stop construction once the approved cost amount has been met and will have no obligation to complete any work beyond that completed at the approved cost amount.*

Ms. Ayers stated the City Manager approved the language and we will add it to the document. Commissioner Scarborough asked if that would add cost to the project. Ms. Ayers stated she was not expecting any adds; we are usually very conservative.

A motion was made by Commissioner Scarborough, seconded by Commissioner London to add the language to the IGA Exhibit A. **Motion carried unanimously.**

## **I. INVOICES OVER \$5,000**

1. **B & C MECHANICAL - \$8,653.04**
2. **C W MATTHEWS - \$45,967.83**
3. **C W MATTHEWS - \$39,483.90**
4. **C W MATTHEWS - \$45,215.49**
5. **C W MATTHEWS - \$38,922.96**
6. **C W MATTHEWS - \$5,084.04**
7. **ACREE OIL - \$5,383.86**
8. **ACREE OIL - \$8,341.63**
9. **MANATRON - \$10,165.34**
10. **MANATRON - \$6,277.05**
11. **SYNERGISTIC - \$8,182.00**

A motion was made by Commissioner Bell, seconded by Commissioner Ivester to pay the invoices. **Motion carried unanimously.**

## **II. MATTERS FROM DEPARTMENTS**

1. ADMINISTRATOR/FINANCE REPORT
2. DEPARTMENT REPORT

Mr. Richard Adams gave an update on the new Football Program and the Soccer Program. Chairman Whitlock stated the Recreation Department was one of the departments that took a good hit during the budget and asked Mr. Adams how it was going.

Mr. Adams stated he does what it takes to get it done. It is going like it should, it takes a lot of pressure for one person to handle everything and think we will get by for a little while. We have had no complaints and it is going well.

Mr. Adams stated the Dog Park is doing well and it stays busy.

Mr. Adams stated he got all his specs and documentation but will let everything settle down, he has the money already in SPLOST.

3. COMMISSIONERS REPORT

## **III. MATTERS FROM CITIZENS – TIME LIMIT OF THREE (3) MINUTES**

Peter Traudt stated he would ask the board to consider lifting the moratorium on poultry houses.

Mr. Traudt stated we have a lot of old chicken houses in the county and we have a limited window of opportunity going forward for our poultry industry and protein production. It is viable for our community, viable for each person in this room. The moratorium stifled the opportunity to expand. We need to be progressive and realize the opportunities and not turn a blind eye to it. It is important we get down to business about it and not get carried away on whims about the smell of

chicken houses and how far away; we have State and Federal regulations. Mr. Traudt stated it took him one year from the time he decided to build his poultry houses until he actually broke ground. If you throw a 90 day moratorium you have weather, State regulations and things that nature created like rock working against him. Within the next few years you will see a lot of poultry houses going out of business in Stephens County and what you are allowing to come in will be the future of your poultry business.

**IV. EXECUTIVE SESSION – PERSONNEL & POTENTIAL LITIGATION**

A motion was made by Commissioner Scarborough, seconded by Commissioner Ivester to enter into executive session for Personnel and Potential Litigation at 9:44 a.m. **Motion carried unanimously.**

A motion was made by Commissioner Scarborough, seconded by Commissioner London to reconvene regular meeting at 10:50 a.m. **Motion carried unanimously.**

**V. ADJOURNMENT**

A motion was made by Commissioner Scarborough, seconded by Commissioner London to adjourn regular meeting. **Motion carried unanimously.**

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2017

\_\_\_\_\_  
Debbie Whitlock, Chairman

Attest:

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Beth Rider, County Clerk