



**MINUTES
NOVEMBER 28, 2017
5:30 P.M.**

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

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

1st PUBLIC HEARING FOR OCCUPATION TAX ORDINANCE

Mr. Brian Ranck opened the public hearing stating this is the first of two public hearings and opened the floor for anyone wishing to speak in favor of the proposed ordinance; no one spoke in favor. Mr. Ranck opened the floor for anyone wishing to speak in opposition; no one spoke in opposition.

1st PUBLIC HEARING FOR AMENDING ALCOHOL ORDINANCE

Mr. Brian Ranck stated this is the first of two public hearings for the amendment of the alcohol ordinance and opened the floor for anyone wishing to speak in favor of the amendments of the alcohol ordinance; no one spoke in favor. Mr. Ranck opened the floor for anyone wishing to speak in opposition; no one spoke in opposition. Mr. Ranck closed the public hearings.

LAND USE PUBLIC HEARING

1. REZONING REQUEST FROM CHAD SINGLETON PETITIONER, HWY 145, RIDGELAND ROAD. PARCEL 046 083. SUBJECT PROPERTY IS CURRENTLY ZONED AS AGRICULTURE RESIDENTIAL. THE PROPOSED ACTION TO BE TAKEN IS TO REZONE THE PROPERTY TO AGRICULTURE INTENSIVE TO BUILD TWO BREEDER HOUSES FOR A POULTRY FARM.

Ms. Ayers stated the property is 67.76 acres and is currently vacant. Mr. Singleton is requesting to rezone the property to Agriculture Intensive in order to place two breeder houses on the property. It is in a mixed use area of Ag Intensive, Ag Residential and Residential Single. At the time of zoning this property showed no signs of intense agriculture and was zoned agriculture residential. The request for rezoning meets all criteria under section 1606 of the Land Use. The property is in conformity with the policy and intent of the adopted plan; the recommendation of the Planning Commission is to approve.

2. CONDITIONAL USE REQUEST FROM CHAD SINGLETON PETITIONER, HWY 145, RIDGELAND ROAD. PARCEL 046 083. SUBJECT PROPERTY IS CURRENTLY ZONED AS AGRICULTURE RESIDENTIAL. THE PROPOSED ACTION TO BE TAKEN IS A CONDITIONAL USE TO BUILD TWO BREEDER HOUSES FOR A POULTRY FARM.

Ms. Ayers stated this one has the same analysis; there are other poultry farms in close proximity to this area. The property at both ends of the parcel does have residential single lots; one end facing Ridgeland Road and one end facing Hwy 145. The houses will have an increase in traffic at the entrance of the

property; the use requested should not be dangerous, offensive, unhealthy or detrimental to the community. The property is physically suitable for this request under the proposed land use district. It is in conformity with the policy and intent of the adopted plan. The recommendation for the conditional use is to approve with the following conditions. 1) Two breeder houses to be placed on the property; 2) houses must meet all district requirements with no variance granted; 3) houses be relocated to as close to the middle of the property as feasible away from current residence; 4) contingent upon meeting DOT entrance requirements; 5) bring portion of road past residence entrance driveway upgraded to County road standards.

Ms. Ayers opened the public hearing for anyone in favor of the request.

Mr. Chad Singleton stated Ms. Ayers had covered the basis and he was representing his clients that own the property seeking to have it approved for two poultry houses. Commissioner Ivester asked if they had spoken with a grower yet. Mr. Singleton stated it will most likely be CWC. Commissioner Ivester asked if they had been out to the property to look at it. Mr. Singleton stated yes.

No one else spoke in favor of the request; Ms. Ayers opened the hearing for anyone wishing to speak in opposition of the request.

Eric Thompson, 2860 Hwy 145 – Mr. Thompson stated he has safety concerns; Hwy 145 is extremely busy and adding additional trucks will be a safety concern.

Joe Stitche, 2520 Hwy 145 – Mr. Stitche stated he had just heard that the houses are to be placed in the center of the property; the location Mr. Singleton has on the drawing he received is nowhere near the center of the property. Mr. Stitche stated we are talking about 300 feet from his house. Mr. Stitche stated he had lived there for 15 years and they are coming in and shoving these down his throat; he was told when he bought his property he was buying in a subdivision. Commissioner Ivester stated this is only a draft of a subdivision plat. Commissioner Ivester asked Mr. Stitche is this what the seller gave you as a proposal. Mr. Stitche stated that is what they told me. Mr. Stitche stated he had mentioned to whom he thought was going to buy the property he would sell his house if the chicken houses got approved because he don't want to live with them but would love to live there the rest of his life.

Commissioner Ivester asked Mr. Singleton if he had a new plat with the chicken houses that has been adjusted to the center. Mr. Stitche stated they are nowhere near the center of the property. Ms. Ayers stated that is his first draft his conditional use put on by the Planning Commission was to move them further away; that is not where they will be. Mr. Singleton has not submitted one where they will be moved. Mr. Singleton stated the placement of the houses is not to try and be un-neighborly; on a black and white sheet of paper it looks like they are being crowded towards one side of the property. To give you a background of this property the rear portion close on Ridgeland Road crosses Mags Creek which is a large body of water; we have to stay away from that. Mr. Singleton stated on both the North and South property is a gulley, placing these houses is maybe a 100 feet of wiggle room at best. Anything we do will have to be engineered and approved by EPD before any dirt is scratched. Mr. Stitche stated he had talked to the man that was going to do the grading and they had asked him to grade for four houses and build two, they are already planning for the future.

Deanna Kominski, 2860 Hwy 145 – Ms. Kominski stated she owns about 50 acres in the area and this is not a place to bring in more chicken houses; the traffic would be worse with the big feed trucks and they highway cannot handle that. There would be odors and this is a community.

Susan McGee, 2632 Hwy 145 – Ms. McGee stated she lives next door to Mr. Stitche. We are a small community and don't want the chicken houses there; Ms. McGee stated she used to work in chicken houses and does not want to live around them.

Commissioner Ivester asked Mr. Singleton if this was as far back as they could go. Mr. Singleton stated it is very close and he had given the county topography maps in color that may shed some light; both of the purple lines are contour lines and the lines get tight on the north going into a ravine. South heads to a springhead that feeds into Mags Creek; the last thing anyone wants to do is move dirt near a creek. This property has been on the market for multiple years and he can't warranty what other people have said. The mention of four houses is not from my party. Commissioner Ivester stated it looks closer than 500

feet from Mr. Stitcher's house. Mr. Singleton stated the plan showed a buffer from his residence the furthest from the corner should be a 300 ft. radius and a 600 ft. radius. We have to be concerned about the pads because of erosion.

Commissioner Scarborough asked if it was 300 or 600 feet. Mr. Singleton stated the front of the house is closer to 500 feet because 600 feet barely swings into it. The fans will be on the opposite end and almost 1000 feet from his property. Commissioner Ivester asked how difficult would it be to make it 600 feet? Mr. Singleton stated he sat down with Slate this morning and there is not a lot of tweaking they can do. The problem is if you start tweaking and put the front of the houses north bound you are getting into the 300 ft. radius of the neighboring residence. If you push further south you get into the ditch.

Commissioner Scarborough stated you are aware it is just for two houses. Mr. Singleton stated we don't have a buyer, we have interested parties and this is essentially the first step. We are working on the site plan and we have that hurdle to clear. Mr. Singleton stated we also have hurdles with DOT to cross so it is not a done deal. Commissioner Bell stated you don't have a buyer. Mr. Singleton stated we have a very interested party; this was the first step getting approved and then our site plan approval.

Commissioner Ivester stated that is a smart way to do it. Mr. Singleton stated it is hard for someone to spend \$200,000 and not be able to build a farm. Commissioner Ivester stated to Mr. Stitcher that she had rode out to his property and you have a beautiful place and you have it open; if this is approved would you want us to put a mandatory buffer for them to plant Leyland Cypress trees so you can't see the trucks coming in and out. Mr. Stitcher stated that road is 80 feet from my front door; Mr. Stitcher stated he would tell her what he don't want them coming in at 12:00 and 1:00 a.m. picking up chickens and waking him up; picking up eggs three times a week, nobody in that neighborhood does. They just don't belong.

No one else spoke in opposition; Ms. Ayers closed the public hearing.

REGULAR MEETING

Chairman Debbie Whitlock called the regular meeting to order at 7:16 p.m. and welcomed those present. Mr. Teasley gave the invocation and led the Pledge of Allegiance.

II. APPROVE AGENDA

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

III. APPROVE MINUTES

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

IV. OLD BUSINESS

1. BOARD TO CONSIDER MOTION TO ADOPT OCCUPATION TAX RATE SCHEDULE

Ms. Ayers stated we looked at this at our last meeting and it was requested to compact \$0 - \$200,000 for \$100.00 and leave the rest the same. A request to do a temporary business license for a yard sale or peddler; other counties are using \$25.00 for a temporary fee. Ms. Ayers stated a valid yard sale is exempt. Anybody who desires to peddle, solicit or canvass in the unincorporated area of Stephens County has to obtain a temporary business license and that fee is \$25.00

A motion was made by Commissioner Scarborough, seconded by Commissioner Ivester to approve the tax rate schedule. **Motion carried 4-1; Commissioner London opposed.**

2. BOARD TO CONSIDER MOTION TO FUND \$10,000 FOR A NEW TRANSPORT VAN AND \$5,500 TO REPAIR OLD TRANSPORT VAN FOR THE TOCCOA-STEPHENS COUNTY HUMANE SHELTER

Mr. Jeff Roberts addressed the board stating his current transport van is 19 years old; the engine went out with the animals in the back. We are requesting \$10,000 for a build out of a new transport van; we have used \$36,000 in grants from Pet Smart Charities; the City of Toccoa has agreed to fund \$20,000 and we have a donation of \$10,000. Mr. Roberts stated being able to do efforts outside the community contains our cost, animals we take to Pet Smart are still in our system but the cost stops because they are providing the feeding and the cleaning of the animals.

A motion was made by Commissioner Scarborough, seconded by Commissioner London to fund \$10,000 for a new transport van. **Motion carried 4-1; Commissioner Ivester opposed.**

Commissioner London asked Mr. Roberts to get some quotes for a used vehicle; that is pricey for the engine repair with that many miles on it.

V. NEW BUSINESS

1. REZONING REQUEST FROM CHAD SINGLETON PETITIONER, HWY 145, RIDGELAND ROAD. PARCEL 046 083. SUBJECT PROPERTY IS CURRENTLY ZONED AS AGRICULTURE RESIDENTIAL. THE PROPOSED ACTION TO BE TAKEN IS TO REZONE THE PROPERTY TO AGRICULTURE INTENSIVE TO BUILD TWO BREEDER HOUSES FOR A POULTRY FARM

A motion was made by Commissioner Ivester to rezone the property; motion died for lack of second.

Commissioner Bell stated there are a lot of people here and I live down there as well, but there is nothing I can do with the way this ordinance is written until we redo the verbiage.

Chairman Whitlock asked if she could second the motion as a chairperson. Ms. Ayers stated yes but you have already closed it and you would have to call for a motion to reopen it. Mr. Ranck stated the motion on the floor died for lack of second there was no additional motion made. Commissioner Scarborough stated therefore there was no motion. Chairman Whitlock stated someone would have to move again. Mr. Ranck stated yes. Chairman Whitlock asked if we have to wait until the end of the meeting. Mr. Ranck stated he did not think it mattered when you do that, it might be appropriate to wait until the end of the meeting. Chairman Whitlock stated she didn't realize she could second the motion herself. Mr. Ranck stated under our Charter you can. Ms. Ayers stated you have to make a motion to open the motion back up. Mr. Ranck stated if the board is inclined to do as your suggesting there would need to be a motion to re-open items number one and potentially two based on that motion you would take those items up again.

2. CONDITIONAL USE REQUEST FROM CHAD SINGLETON PETITIONER, HWY 145, RIDGELAND ROAD. PARCEL 046 083. SUBJECT PROPERTY IS CURRENTLY ZONED AS AGRICULTURE RESIDENTIAL. THE PROPOSED ACTION TO BE TAKEN IS A CONDITIONAL USE TO BUILD TWO BREEDER HOUSES FOR A POULTRY FARM

No motion needed.

3. JOAN JONES, JUVENILE COURT CLERK TO ADDRESS BOARD

Ms. Tricia Hise spoke on behalf of Ms. Jones stating Ms. Jones has served as Juvenile Court Clerk for nearly 15 years and has dedicated 28 years to County employment. Ms. Hise stated she understands there has been indication by Stephens County and letter of intent to withdraw the Intergovernmental Agreement between Stephens County and Habersham County regarding employment of Ms. Jones. Ms. Hise ask the board to reconsider that position and go back to the negotiating table with Habersham not only to enable Ms. Jones to retire at 30 years but to also consider how that will positively affect citizens and county government by keeping Ms. Jones on as Juvenile Court Clerk. She is asking this commission to reconsider so that she is able to retire at 30 years and so that she is able to keep her insurance. She is willing and wants to be part of the transition of her replacement; she wants to be able to train that person and wants to be afforded the opportunity to work with the Clerk's office. If the Juvenile records are going to be transferred under the Superior Clerk of Court, Ms. Jones has done a little research as to how much it would cost. Currently, to merge the records with the Clerk of Superior Court if not mistaken the current program used by Clerk of Court and Juvenile Court is called Micropak that is the same program Mr. Quick uses. However, since those have been under two separate accounts, the estimate from a representative from Micropak indicates it will cost anywhere from \$120 per hour to \$150 per hour to merge the two databases; that does not include having to hire a new hire in the Clerk's office and does not include training of new hire and certification. We are well aware of the financial challenges you face in Stephens County; speaking of reality in the event you do not renew or extend or negotiate the Intergovernmental Agreement and ask that you educate yourself on the cost that would be incurred by Stephens County. You have been responsible for 42% of Ms. Jones salary and Habersham County bears the brunt of that at 58%. There have been changes made by the current Juvenile Court Judge and Ms. Jones is willing to accommodate those changes. This is more than just numbers; she would only draw 38% of retirement if she faced retirement this year. If able to finish her 30 years she will be able to draw at 80%, that difference is huge. She has a clear plan of action and more than willing to work with Stephens County and with Habersham County to revisit the numbers and salary figure and negotiate. Ms. Jones just wants to get to the point she can retire and keep her medical insurance and train whatever department takes it over.

Chairman Whitlock asked Ms. Ayers when this first came up and you were directed by the board; Ms. Ayers stated when this first came up it was requested by Habersham County in their office to make this change. This is not something we started. Chairman Whitlock stated she understand that and was trying to be delicate. Ms. Ayers stated we just need to put it on the table; Ms. Ayers stated she did not want to be delicate because we have been thrown under the bus a lot about this subject. Ms. Ayers stated Rabun County, Stephens County and Habersham County Managers sat around the table in Habersham County that is where it was proposed to me to bring back to you. Geraldine was retiring and the new judge needed that money to make it a full time position and we could only afford a certain amount of money. Chairman Whitlock asked about the records being merged in the Clerk of Court. Ms. Ayers stated they have physically been relocated and Randall helped move those. Chairman Whitlock stated these are merged in the program. Ms. Ayers stated while they have been physically moved, Micropak does our Clerk of Court now. We have not been provided any information from the Clerk of Court what the cost would be to merge those. Commissioner Scarborough asked if Ms. Jones had been to Habersham County to address this with their board. Ms. Ayers stated she can tell you what Ms. Jones told her in her office; she is not here but if she were I would say the exact same thing. She said she had addressed Habersham; Habersham agreed to fund her the last six months of our twelve month contract 100% that would just take her until June of 2018. Ms. Hise stated that she had a conversation with Mr. Victor Anderson who is the Chair of our County Commission and she is supposed to report back to him after tonight's meeting; that doesn't provide what you are looking for. Chairman Whitlock stated they are putting it back on us. Commissioner Scarborough stated they started it. Chairman Whitlock stated

she does not want it to be about, she is well aware of what happened and she is not happy about it. We have a woman that has dedicated 28 years to county employment and can retire in February 2020 which will give her 30 years. Chairman Whitlock stated she had Phyllis to look into what it would look like if we don't do this and it will be a loss. Our County attorney understands Joan does have a lot to bring to the table and to train somebody it is not going to be like Magistrate situation that was different. Juvenile Court has some stringent rules because of confidentiality. Commissioner Scarborough asked are you proposing for us to fund 58% more of her salary and benefits. Chairman Whitlock stated not 58%. Commissioner Scarborough stated we do 42%. Chairman Whitlock stated she was not proposing anything, considering seeing if we can go back and re-negotiate the numbers. Ms. Ayers stated she could not recall but the County Manager did send us information. Chairman Whitlock stated there was a loss of income for her. Ms. Ayers stated it might be best if we hear from the Juvenile Court Judge before you make a final decision; Ms. Ayers stated she has been in conversation with her. If we take our budget right now which is about \$84,000 (\$83,994) and added that position back there is not a place to swap it. We did take Geraldine's part-time and made it a full time because she couldn't get a part-time. In the end unless the salary is negotiated down from Ms. Jones to match it we would have a budget increase for that. Mr. Brian Ranck stated he thinks what Phyllis said is dead on; the Judge needs to be involved in this by statute. My understanding, the Judge appoints the Clerk; this board's role is to set the budget. Mr. Ranck stated he thinks the world of Ms. Jones and he is just making objective comments for his client, the Board of Commissioners. Mr. Ranck stated your Judge needs to be involved and recognize the statute that is in place that allows the Judge to appoint. That is something that must be consulted; if you don't provide the deference you may be overstepping your bounds a little bit. Commissioner Bell asked why don't we look into this further and get with the Juvenile Court Judge and may have something by the next meeting. Chairman Whitlock stated we still have to talk to Habersham Board of Commissioners; this is not an easy fix. Commissioner Scarborough stated since they approached us to start with to not fund it after December 31st is what they approached us with. Chairman Whitlock stated we looked into it and it behooved us, they are the ones that wanted to terminate her position. Ms. Hise stated she had heard the story many times and with respect to Mr. Ranck specifically she understands the statute allows a Juvenile Court Judge to appoint her Clerk. If there is nothing in the budget then there is no appointment. Ms. Hise stated she respectfully thinks there are two different issues while she also understands you need to and want to discuss with the Juvenile Court Judge; ultimately it is your decision to fund that position. Ms. Jones is not asking for 58% from Stephens County, the point was under the agreement Habersham County has ponied up 58% of her salary and benefits and Stephens County has ponied up 42%. Ms. Jones is asking Stephens County regardless of who started this mess to come back to the table and consider her as a dedicated employee and allow her to retire with benefits at 80% and only way that will happen is if you agree to talk with Habersham. Commissioner Bell stated we can agree to talk to Habersham. Chairman Whitlock stated we need to talk to Judge Carswell, Habersham County and Tim Quick about merging the files. Ms. Hise thanked the board for allowing her to speak.

No motion needed.

4. SUSAN HARRIS, HEARTS FOR FAMILIES TO UPDATE BOARD ON AVITA COMMUNITY PARTNERS AND ALCOHOL PREVENTION PROJECT FOR YOUTH IN TOCCOA

Ms. Harris updated the board on activities taking place through AVITA and with the Alcohol Prevention Project. **No motion was needed.**

5. BOARD TO CONSIDER MOTION TO APPROVE OR DENY ALCOHOL RENEWAL FOR CURRAHEE CLUB; CURRAHEE VINEYARD; DHAKA TRADER/STUMPY'S; FAST & FRIENDLY

A motion was made by Commissioner London, seconded by Commissioner Ivester to approve alcohol license renewals. **Motion carried unanimously.**

6. BOARD TO CONSIDER MOTION TO APPROVE FY2018 BUDGET AMENDMENT FOR COUNTY CLERK, CORONER AND AUTHORIZE CHAIRMAN TO SIGN RESOLUTION

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

7. BOARD TO CONSIDER MOTION TO AWARD UNIFORM PATROL SPORT UTILITY VEHICLE FOR THE SHERIFF'S OFFICE TO MIKE JONES FORD TO BE PAID OUT OF SPLOST VI

A motion was made by Commissioner Bell, seconded by Commissioner Scarborough to award Sheriff's office vehicle to Mike Jones and to be paid from SPOST VI. **Motion carried unanimously.**

8. BOARD TO CONSIDER MOTION TO APPROVE HEALTH SERVICES RENEWAL AGREEMENT WITH CORRECTHEALTH SERVICES FOR STEPHENS COUNTY JAIL FOR CALENDAR YEAR 2018 AND AUTHORIZE CHAIRMAN TO SIGN AGREEMENT

A motion was made by Commissioner Ivester, seconded by Commissioner Scarborough to approve Health Services renewal agreement for the jail. **Motion carried unanimously.**

9. BOARD TO CONSIDER MOTION TO ADOPT RESOLUTION DECLARING LOTS 18 AND 19 OF LAKE HARBOR SHORES SUBDIVISION AS SURPLUS AND INSTRUCT STAFF TO START THE SEALED BID PROCESS

A motion was made by Commissioner Scarborough, seconded by Commissioner London to adopt resolution and instruct staff to begin the sealed bid process. **Motion carried unanimously.**

10. BOARD TO CONSIDER MOTION TO AUTHORIZE CHAIRMAN TO SIGN CORRECTIVE ACTION PLAN IN CONNECTION WITH THE OPERATION OF THE TOCCOA-STEPHENS COUNTY AIRPORT AUTHORITY

Mr. Ranck stated this is clarifying the roles of both the County and the City for oversight and meeting certain Federal requirements. This is a process of Corrective Action Plan and it is our response to the FAA saying this is what we intend to do; this has been in conjunction with the FAA so we believe this will satisfy them. We recommend the board approve this so we can move on to the next process.

A motion was made by Commissioner Bell, seconded by Commissioner Ivester to authorize Chairman to sign Corrective Action Plan. **Motion carried unanimously.**

11. BOARD TO CONSIDER MOTION TO AUTHORIZE ADMINISTRATOR TO SIGN 2017 LMIG OFF SYSTEM SAFETY PROJECT REVISION LETTER

Ms. Ayers stated you have original in packet we originally approved and we ended up having to remove some roads like New Road that is no longer a County Road. We needed to make a few changes to the roads. Oak Valley Road is removed because it will be LMIG for next year and we don't want to spend money striping it. Nub Garland Road is the only road we did not get to over the summer and did not

want it striped because it will be done next year. We removed the haul roads, Anderson Thomas Road, New Road, we removed four roads and turned them into striping. Pine View Road, Silver Shoals Road, Tahoe Trail and W. Leatherwood Road because of some crash history. We added Old Oak Valley Road, Yearwood, N. Clarks Creek, E. Leatherwood, Fowlertown, Hurricane, Copper Valley and Suttles because of some crash history and some asphalt work in the prior years that were done that needed to be stripped. Overall it is reducing the match needed from the County. We needed to submit request to make a few changes.

A motion was made by Commissioner London, seconded by Commissioner Scarborough to authorize Administrator to sign 2017 LMIG Off System Safety Project revision letter. **Motion carried unanimously.**

12. BOARD TO DISCUSS QUOTE FOR SENIOR CENTER THERAPEUTIC POOL

Ms. Ayers stated we have a letter from Wright Mitchell and Associates; we have our Building and Grounds Director and our Recreation Director here to answer our questions. We have talked about the pool for a long time and we have pushed it. Commissioner Ivester walked the pool with me approximately six to seven months ago. The quote gives you a rough budget of \$230,600; it details what needs to be put in place. You have the ability after you get in there to add other stuff to it. We are not saying this would be the vendor that would do it; we may have to bid it out to what vendors can do it. Right now it is closed until we can get it corrected. We have some SPLOST V Recreation and SPLOST VI but that will pretty much deplete both of those. Ms. Ayers stated we have over \$210,125 of the Goodwill money. Commissioner Bell asked how long will this last if we get it corrected. Mr. Cleveland stated Mr. Wright came and went through the pool and looked at all the problems we have. His recommendation was to close it; a lot of our equipment is beyond repair, our tub that puts fresh air into the room has locked down and needs to be replaced. We have re-built it a few times and they have a pool packet that puts fresh air and conditions the air and takes the humidity out of the air to make it more comfortable and keeps the corrosion out. This would move everything outside of the building so you would not have this problem in the building. It is going to take a major repair to get it back where it needs to be for 15-20 more years. We have a lot of corrosion in there; the electrical had to be repaired because of humidity. Commissioner Bell stated he has had a lot of conversation with folks in the community that use this thing and we need to make sure if there is any way we can get it fixed and get it fixed right. Mr. Cleveland stated if it remains open it will need this repair; what is above the ceiling may add to that cost because we can't see up there, that is a good estimate of what it will cost. Commissioner Bell asked Mr. Richard Adams how long the pool had been in place. Mr. Adams stated if not mistaken since 2001. Chairman Whitlock asked about the operating hours and times. Mr. Adams stated during the day and every evening except Saturday and Sunday. Classes are from 9:00 – 11:00 and afternoon and evening classes. Chairman Whitlock asked if it was not open to the public. Mr. Adams stated it is open to the public but we have trained people that do classes and you go to those classes for certain things. Commissioner Scarborough asked can a person just go during those open hours. Mr. Adams stated they can do during open swim which is 2:15 – 3:15 in the afternoon Monday – Thursday. The rest of the time there are classes for instructors. It is five days a week, sometimes we have swimming lessons on Saturday and during week. Chairman Whitlock asked if he thought people would go if it was open on the weekends during winter months to swim. Mr. Adams stated it is not a swimming pool it is a therapeutic pool. The water stays around 90 degrees at all times and really shouldn't be in it more than 30-40 minutes at the most. Commissioner Ivester asked does there have to be a lifeguard there during open swim. Mr. Adams stated all of our instructors are trained and there during open swim. There is also an age restriction during open swim it is 25. You have to consider the age of the people that use it. Chairman Whitlock stated it is not like the pool in Habersham, this is a therapeutic pool. Mr. Adams

stated yes. Chairman Whitlock asked how many groups use the pool. Mr. Adams stated six or seven different classes at different times. The pool goes from 3 ½ feet to 4 ½ feet; water stays 89-90 degrees and we kept the room temperature from 81-84. We kept patching the heating and air upstairs in the mens bathroom; we could have been in this situation five to six years ago but as long as the fan ran on the heater it circulated the air because we brought the outside air in, this pulled it back through but it is no longer operable. Chairman Whitlock stated Wright Mitchell did a good job on the proposal; not in depth but enough to let you know what the issues are. The ceilings have to be removed, the existing heating and cooling system removed and replaced; plastic flooring on pool deck has to be replaced, HVAC unit replaced with a pool pack system designed for this type of space and therapeutic pools so it maintains proper level of humidity. Mr. Adams stated it will take a complete restructuring of the pool itself everything should have been outside to begin with. Now it will be outside and control the air condition air inside; we were heating and cooling our own air. Chairman Whitlock stated the pool is in good condition. Mr. Adams stated the pool itself, yes; just the insides of the building and mechanism that runs everything. Commissioner Bell stated some people didn't understand it was a therapeutic pool, they thought it was a swimming pool. There is a big difference. Commissioner Scarborough stated he thinks it is a good asset for the County to have this. We sold an asset and instead of the money going to the general fund operational expenses it would be wise to spend it on improving an asset that we have. That would be \$210,000 of it; can we do negotiated bids? Ms. Ayers stated we do after they come in; we can the lowest responsible responsive bidder. Commissioner Scarborough stated with something like this you could negotiate that down to the money you have. Mr. Adams stated Randall noted there was about \$6,000 on here on the detail not needed because it has been repaired. Chairman Whitlock stated let's say we do this how long will this process take to get the pool up and running again. Mr. Cleveland stated by the time we bid it out, we are talking about two to three months; so we are probably looking at six to eight months possibly to do the complete repair and going through the bid process to get the bidders. Chairman Whitlock stated we need to make a quick decision. Phyllis, we have to pay for this. Ms. Ayers stated we mentioned you have SPLOST V and VI money but that will deplete Recreation. Commissioner Scarborough suggested the remaining of the Goodwill building. Chairman Whitlock asked how much was remaining in SPLOST. Ms. Ayers stated SPLOST VI there is \$206,547; SPLOST V \$174,000. Commissioner Ivester stated she would rather not deplete SPLOST and take it from the Goodwill building. Richard has some things he wants to do with that money. Chairman Whitlock asked Mr. Adams if he had things he was thinking about for the SPLOST money. Mr. Adams stated he had things designated for that money. Commissioner Scarborough stated we could if we get in there and find something that has not been seen right now, we could jump over to some of that possibly, maybe SPLOST V. Commissioner Bell stated we have the money from the Goodwill building and he agrees with Commissioner Scarborough we ought to use that and get this thing done right so folks can use it. All Commissioners agreed.

A motion was made by Commissioner Scarborough, seconded by Commissioner Ivester to put it out to bid and get the repairs needed for the therapeutic pool in operation in a safe manner and take the money from the asset sale of the Goodwill building. **Motion carried unanimously.**

13. BOARD TO CONSIDER MOTION TO ADOPT RESOLUTION DECLARING PITNEY BOWES POSTAGE MACHINE AS SURPLUS FOR SCRAP

A motion was made by Commissioner Ivester, seconded by Commissioner London to declare postage machine as surplus and scrap. **Motion carried unanimously.**

14. BOARD TO CONSIDER MOTION TO PROVIDE A COMMITMENT TO APPROVE THE CURRENT COUNTY SALARY POSITION FOR THE COUNTY AGENT SECRETARY FROM \$7,230.00 ANNUALLY TO \$9,000.00 ANNUALLY

A motion was made by Commissioner London, seconded by Commissioner Bell to approve the commitment to provide current County salary position from \$7,230 annually to \$9,000 annually. **Motion carried unanimously.**

VI. INVOICES OVER \$5,000

1. **C W MATTHEWS - \$33,783.05**
2. **C W MATTHEWS - \$7,669.07**
3. **C W MATTHEWS - \$14,403.83**
4. **C W MATTHEWS - \$17,714.20**
5. **C W MATTHEWS - \$22,055.58**
6. **C W MATTHEWS - \$65,916.03**
7. **C W MATTHEWS - \$65,984.00**
8. **ACREE OIL - \$6,705.10**
9. **ACREE OIL - \$9,813.99**

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

I. MATTERS FROM DEPARTMENTS

1. ADMINISTRATOR/FINANCE REPORT
2. DEPARTMENT REPORT
3. COMMISSIONERS REPORT

Chairman Whitlock stated the White House had invited local elected officials and Commissioners to go to a conference and she is going to represent the County.

Commissioner Ivester congratulated the Recreation Department Director Richard Adams about the Pep Rally for the Football team. It was great, there was a great turnout. You did a great job

II. MATTERS FROM CITIZENS – TIME LIMIT OF THREE (3) MINUTES

Stacy Pulliam – Commissioner Bell made a comment about the Land Use that your hands are tied, at some point and time I would like to understand more. Mr. Pulliam stated he was having a hard time understanding if this came before you to approve you're basically saying ya'll have no choice. Commissioner Bell stated if you have made yourself aware of the Land Use Ordinance the way they have the chicken houses placed in there is nothing we can do that would change anything. Mr. Pulliam stated the only way that could ever be changed is by verbiage being changed. Commissioner Bell stated verbiage and setbacks. Mr. Ranck stated if you are looking at a setback standpoint, yes but there are all the other factors in the Land Use Ordinance.

Billy Chism – Mr. Chism stated the Land Use has all parcels zoned a certain way the only way you can change a parcel is to vote on it right. Commissioner Scarborough stated yes, for us to vote. Mr. Chism stated you are the final vote, you have had your two hearings why are your hands tied if you can vote yes or no. Commissioner Bell stated some folks want me to vote no and I can't vote no against it. Mr.

Chism stated you can vote either way you want to but your hands are not tied. Commissioner Bell stated one a motion is made and there is no second it dies for lack thereof it was a dead issue at that time.

III. EXECUTIVE SESSION – Personnel

A motion was made by Commissioner Scarborough, seconded by Commissioner Ivester to enter into executive session at 7:38 p.m. **Motion carried unanimously.**

A motion was made by Chairman Whitlock, seconded by Commissioner Ivester to move out of executive session and reconvene meeting. **Motion failed 2-3; Commissioners Scarborough, Bell and London opposed.**

A motion was made by Commissioner Ivester, seconded by Commissioner Scarborough to enter into executive session. **Motion carried unanimously.**

A motion was made by Commissioner Scarborough, seconded by Commissioner Ivester to reconvene regular meeting at 8:04 p.m. **Motion carried unanimously.**

Discussion of Juvenile Court Budget.

IV. ADJOURNMENT

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

Approved this _____ day of _____, 2017

Debbie Whitlock, Chairman

Attest:

Beth Rider, County Clerk