

## **WHITE COUNTY BOARD OF COMMISSIONERS**

### **MINUTES OF THE COMBINED WORK SESSION & REGULAR MEETING HELD**

**MONDAY, MARCH 25, 2019 AT 4:30 P.M.**

The White County Board of Commissioners held a combined Work Session & Regular Meeting on Monday, March 25, 2019 at 4:30 p.m. in the Board Room of 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, Finance Director Jodi Ligon, and County Clerk Shanda Murphy.

Chairman Turner called the meeting to order.

Following the Pledge of Allegiance, Pastor Patrick Ballington of the Bridge Church & the White County Ministerial Alliance provided the invocation.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Nix there was a unanimous vote to adopt the minutes of the Regular Meeting held March 4, 2019 and the Called Meeting held March 12, 2019.

Upon presentation of proclamation, April 14-20, 2019 was proclaimed Public Safety Telecommunicator's Week in White County.

Upon presentation of proclamation to Enotah CASA, the Month of April 2019 was proclaimed Child Abuse Prevention Month in White County.

Chairman Turner reviewed the required administrative procedures for the land use public hearings.

Mr. John Sell, Director of Community & Economic Development, presented the land use application filed by Ms. Kelli Withrow to redistrict property located at 3216 Hwy 75 South, Cleveland, GA. 30528 from: A1 Agriculture Forestry District, to R3 Residential District (Seasonal). Total acreage to be changed is 5.0. Tax parcel 049-120 and PT 049-075. He stated that the application was associated with proposed rental cottages connected to the Meadows at Mossy Creek event venue. He noted that the Planning Commission had conducted a Public Hearing on the application and did issue a recommendation to approve the reclassification. Ms. Withrow explained that the plan was to construct three (3) cottages with all being three (3) bedrooms which would allow accommodations for those utilizing the venue.

Chairman Turner opened the floor for any comments in support of the land use application filed by Ms. Kelli Withrow to redistrict property located at 3216 Hwy 75 South, Cleveland, GA. 30528 from: A1 Agriculture Forestry District, to R3 Residential District (Seasonal).

Mr. Don Ferguson stated that he was an adjoining property owner and the owners had done a very good job on the venue and he was in support of the land use reclassification.

Chairman Turner issued two (2) additional calls for any comments in support of the application.

With no additional comments in support of the application, Chairman Turner closed the floor.

Chairman Turner opened the floor for any comments in opposition to the land use application filed by Ms. Kelli Withrow to redistrict property located at 3216 Hwy 75 South, Cleveland, GA. 30528 from: A1 Agriculture Forestry District, to R3 Residential District (Seasonal). Chairman Turner issued three (3) calls for any comments in opposition of the application. With there being no comments in opposition to the application, the floor was closed.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Nix there was a unanimous vote to approve the land use application filed by Ms. Kelli Withrow to redistrict property located at 3216 Hwy 75 South, Cleveland, GA. 30528 from: A1 Agriculture Forestry District, to R3 Residential District (Seasonal).

Mr. John Sell presented the land use application filed by Mr. Melo Hairapetian to redistrict property located at 102 Dock Dorsey Road, Cleveland GA. 30528 from: C1 Community Commercial District, to C2 Highway Business District. Total acreage to be changed is 3.72. Tax parcel 061-233. He stated that the proposed use was for a diesel repair shop to be located on the property and this reclassification was congruent with other recent reclassifications in this area. He noted that the Planning Commission had held a Public Hearing on this application and recommended the application be approved. Mr. Hairapetian clarified that he would be located in the back section of the building where Freeman's Garbage Services (previously grandfathered as a non-conforming use).

Chairman Turner opened the floor for any comments in support of the application filed by Mr. Melo Hairapetian to redistrict property located at 102 Dock Dorsey Road, Cleveland GA. 30528 from: C1 Community Commercial District, to C2 Highway Business District. There were three (3) calls for any comments in support of the application. With there being no comments in support – the floor was closed.

Chairman Turner opened the floor for any comments in opposition of the application filed by Mr. Melo Hairapetian to redistrict property located at 102 Dock Dorsey Road, Cleveland GA. 30528 from: C1 Community Commercial District, to C2 Highway Business District. There were three (3) calls for any comments in opposition of the application. With there being no comments in opposition – the floor was closed.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Goodger there was a unanimous vote to approve the application filed by Mr. Melo Hairapetian to redistrict property located at 102 Dock Dorsey Road, Cleveland GA. 30528 from: C1 Community Commercial District, to C2 Highway Business District.

Mr. John Sell presented the land use application filed by Mr. Keith Edsall and Ms. Gina Santaniello to redistrict property located at 103 Blackwell Drive, Cleveland, GA. 30528 from: R1 Residential, Single-Family District to R3 Residential District (Seasonal). Total acreage to be changed is 4.79. Tax parcel 058C-038. He stated that the proposed use was a bed & breakfast and the owners were planning to live onsite. He noted that the Planning Commission held a Public Hearing for this application and recommended approval of the application. Mr. Edsall explained that the house is 5 bedrooms and 6 bathrooms, they had been doing extensive renovations, and planned to open prior to the end of April 2019.

Chairman Turner opened the floor for any comments in support of the land use application filed by Mr. Keith Edsall and Ms. Gina Santaniello to redistrict property located at 103 Blackwell Drive, Cleveland,

GA. 30528 from: R1 Residential, Single-Family District to R3 Residential District (Seasonal). There were three (3) calls issued for any comments in support. With there being no comments in support the floor was closed.

Chairman Turner opened the floor for any comments in opposition of the land use application filed by Mr. Keith Edsall and Ms. Gina Santaniello to redistrict property located at 103 Blackwell Drive, Cleveland, GA. 30528 from: R1 Residential, Single-Family District to R 3 Residential District (Seasonal). There were three (3) calls issued for any comments in opposition. With there being no comments in opposition the floor was closed.

Upon a motion made by Commissioner Nix, seconded by Commissioner Bryant there was a unanimous vote for the land use application filed by Mr. Keith Edsall and Ms. Gina Santaniello to redistrict property located at 103 Blackwell Drive, Cleveland, GA. 30528 from: R1 Residential, Single-Family District to R 3 Residential District (Seasonal) to be approved.

Mr. John Sell presented a recommendation made on behalf of the White County Planning Commission for preliminary road acceptance for Samson Way and Charleston Lane in the Reserve at Mossy Creek subdivision. He confirmed that the roads had been inspected by the White County Road Department and this preliminary acceptance would be subject to the two-year waiting period prior to final acceptance by the County. Mr. Melton confirmed that the financial mechanisms required by county code were in place.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Goodger there was a unanimous vote to grant preliminary road acceptance for Samson Way and Charleston Lane in the Reserve at Mossy Creek subdivision.

Mr. Melton presented the final reports from the arborist, Barney Castle Forestry Services, who had been contracted to investigate the violations of the White County Mountain Protection Ordinance at 186 Cub Trail Sautee Nacoochee, GA (Clackum) and 41 Nugget Ridge Sautee Nacoochee (Sloane). Mr. Melton also presented the Board with the arborist's invoice of \$3,600.00. The Board asked for clarification in the arborist's replanting plan - as 35 trees were recommended for replanting at Cub Trail and 55 were recommended for Nugget Ridge. There was a consensus that the Board needed further clarification on the replanting plans.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Goodger there was a unanimous vote to table any action on the violations of the White County Mountain Protection Ordinance at 186 Cub Trail Sautee Nacoochee, GA and 41 Nugget Ridge Sautee Nacoochee.

Mr. Dave Cangemi, Director of Public Works, presented an estimate for improvements for the parking / driveway area at Fire Station #6 (Hwy 129 North). He stated that the estimate of \$42,500.00 included the preparation work being done by the Road Department (materials only) and the asphalt being done by a contractor. He stated that the asphalt work would have to be bid out and brought back before the Board for award.

Upon a motion made by Commissioner Nix, seconded by Commissioner Goodger there was a unanimous vote to approve the bidding of the asphalt work related to the improvements for the parking / driveway area at Fire Station #6 (Hwy 129 North) with funding to be approved from SPLOST.

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Mr. Cangemi updated the Board on the progress of improvements on Asa Dorsey Road, Sam Craven Road, and Joe Franklin Road. He stated the contractors had been hampered by the rainy weather but he was making every effort to complete these projects depending on the contractor's availability and weather.

Upon a motion made by Commissioner Nix, seconded by Commissioner Holcomb there was a unanimous vote to approve the renewal contract for probation services with Northeast Georgia Probation Services for White County Superior Court.

Mr. Joe Gailey, Director of Parks & Recreation, presented information to the Board of Commissioners related to a few operational changes at the recreation department. He noted that Saturday hours would be extended by two (2) hours – 8:30 a.m. to 3:00 p.m. – due to spring activities and restroom accessibility for fields 1 & 7. He stated that unless the Board objected – White County School Students under age 15 would be allowed to use the gymnasium free of charge 3 p.m. to 5 p.m. with adult supervision. Finally, Mr. Gailey informed the Board he had been approached by the Department of Natural Resources (DNR) regarding a possible trout release location in the creek in the area of the Yonah Preserve Bridge. The Board asked that Mr. Gailey inquire about a release location above the Yonah Preserve Lake instead.

Mr. Joe Gailey presented the bids received for bleachers at the Yonah Preserve Athletic Complex.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Bryant there was a unanimous vote to award the bid for three (3) row bleachers (8 @ a total of \$7,257.51) and dug out bleachers (8 @ a total of \$3,023.91) to BSN Sports for a grand total of \$10,281.42 to be funded from the FF&E Project Budget.

Mr. John Sell presented proposed revisions to the White County Land Use Ordinance. These changes were mainly related to criteria for short term rentals in A-1 & R-1 and procedural changes. There were several other secondary type changes noted as well. (See draft revisions in meeting folder – copies of the draft were provided to those in attendance).

Following discussion, there was a consensus that a meeting would need to be scheduled to further discuss the proposed changes to the Land Use Ordinance.

Chairman Turner opened the floor for public participation.

Ms. Susan Cremering stated that she and her husband are full time residents of White County and own property in Boca Hills that is a short term rental. She noted that the limitation of 10 total guests would limit families who wish to bring babies and small children; therefore she requested the Board consider an age range for the limitation that would not include children under a certain age. She also stated that she would request a provision for transferring the grandfathered status to subsequent owners who wish to use the same property for short term rental. Finally she asked that not all subdivisions of 10 or more lots be grouped together and be required to bear the expense of revising covenants but instead that the established ordinances address those properties which are problematic.

Ms. Linda Hubbard, stated that she is working on her subdivision's covenants (Swiss Colony) and would like to see clarification as to whether the homeowners would be required to obtain certificates or if only the rental agency would be required to obtain the certificates.

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Dr. Scott Malanconico, stated the he was concerned that property owners would be able to work around the proposed regulations by utilizing rental management companies and he would like for someone to explain what would be in place to prevent this.

Mr. Bill Thomas, asked for clarification that if the proposed regulations were adopted – would any short term rentals be allowed in subdivisions of 10 or more lots, even if the rentals were through a management company. Mr. Melton confirmed that was correct unless the subdivision (or 10 or more lots) covenants expressly allowed short term rentals. Mr. Melton also stated that Code Enforcement would serve as the enforcement arm of the ordinance.

Mr. Robert Sloane, stated he has a total of three (3) properties in White County which he had purchased for short term vacation rental. He stated that he agreed with the points made by Ms. Cremering. He felt that unless covenants prohibited short term rentals it should be allowed (not requiring to expressly allow).

Ms. Gloria Seymour, stated she was in support of the Board addressing short term rentals.

Chairman Turner closed the floor.

Ms. Jodi Ligon, Finance Director, presented an abbreviated version of the monthly financial status report (complete report attached).

Following announcements and upon a motion made by Commissioner Nix, seconded by Commissioner Holcomb there was a unanimous vote to adjourn the meeting.

The minutes of the March 25, 2019 combined Work Session & Regular Meeting are hereby approved as stated this 22nd day of April, 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