

**WHITE COUNTY BOARD OF COMMISSIONERS**  
**MINUTES OF THE WORK SESSION & REGULAR MEETING HELD**  
**MONDAY, MAY 6, 2019 AT 4:00 P.M.**

The White County Board of Commissioners held a combined Work Session & Regular Meeting on Monday, May 6, 2019 at 4:00 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, Finance Director Jodi Ligon, and County Clerk Shanda Murphy.

Chairman Turner called the meeting to order.

Following the Pledge of Allegiance, Mr. Dean Dyer provided the invocation.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Goodger there was a unanimous vote to adopt the minutes of the April 22, 2019 Work Session & Called Meeting, the April 30, 2019 Budget Work Session, and the May 2, 2019 Budget Work Session.

Mr. Joe Gailey, Director of Parks & Recreation, introduced Ms. April Friel – Athletic Coordinator – as the newest employee at the Recreation Department.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Holcomb there was a unanimous vote to table the agenda item considering mountain protection ordinance violations at 186 Cub Trail Sautee Nacoochee, GA and 41 Nugget Ridge Sautee Nacoochee, GA. The Board directed Mr. Melton to speak further with County Attorney Mary Jane Henneke and the EPD regarding possible stream buffer violations associated with a document provided by Commissioner Bryant. Chairman Turner indicated a Called Meeting would be held Thursday, May 9, 2019 at 4:00 p.m. and this item would be discussed.

There was a consensus of the Board that there were concerns regarding the proposed changes to the land use ordinance – which the Board preferred the County Attorney to review. Upon a motion made by Commissioner Holcomb, seconded by Commissioner Nix there was a unanimous vote to table the agenda item related to proposed revisions to the White County land use ordinance related to required public hearings procedure and short term vacation rentals in the unincorporated area of White County. Chairman Turner indicated a Called Meeting would be held Thursday, May 9, 2019 at 4:00 p.m. and this item would be discussed.

Mr. Matt Bidwell, MSI Benefits Group, presented the proposals received from various carriers for the White County Employee Benefit Plan. He specifically noted that the current carrier of the health insurance, Alliant, had proposed a “no change” renewal and the most aggressive proposal received was from CIGNA – who matched current benefits and provided a total savings of \$308,000.00 (including a renewal \$144,180.00 below current plus a \$164,000.00 premium

credit). Upon a motion made by Commissioner Nix, seconded by Commissioner Bryant there was a unanimous vote to award employee medical, dental, and vision coverage to CIGNA for the 2019-2020 employee benefit year effective July 1, 2019.

Mr. Melton presented to the Board a notice from the City of Cleveland of a requested annexation for property located at 1769 Hwy 129 South Cleveland, GA 30528 – Tax Map & Parcel # 048C 161A – owned by FTOG/Waffle House, Inc. It was noted that the parcel is .630 acres. Mr. Melton indicated that he had reviewed the request and had some concerns. Mr. David Murphy, Director of Public Safety, stated that the notice itself illustrates confusion which would exist with this annexation. He stated that the address listed in the notice is 1769 South Main Street – which does not exist – noting the correct address is 1769 Hwy 129 South. He indicated that while the 911 system is sophisticated enough to identify the location as being in the city limits of Cleveland the confusion will exist with people outside the system since you will go from being inside the city limits, to being outside the city limits, back into the city limits, and back out of the city limits all within a short stretch on Hwy 129 South – which could potentially cause public safety issues. He noted the surrounding properties are all in the unincorporated area of the county. Mr. Tom O’Bryant, City Administrator, explained that the City of Cleveland had annexed the right of way on both sides of Hwy 129 South from the southern limits to Truelove Road and had set a policy that if a property needed additional water / sewer capacity they would be required to annex into the City. He verified the property at 1769 would require additional capacity in order to proceed with their development. Sheriff Neal Walden clarified that in those areas where the City had annexed the right of way on both sides of Hwy 129 – the road was also determined to be in the City limits as well. Mr. O’Bryant verified that the Sheriff was correct.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Bryant there was a unanimous vote to support the request for annexation into the city limits of Cleveland from FTOG/Waffle House, Inc. for property located a 1769 Hwy 129 South Cleveland, GA 30528. Mr. Murphy stated that the Public Safety Board would be informed of this annexation and his office would do everything possible to assist.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Nix there was a unanimous vote to reappoint Mr. Chuck Edwards to the White County Chamber of Commerce Board of Directors for a two (2) year term expiring June 30, 2021.

Upon a motion made by Commissioner Goodger, seconded by Commission Holcomb there was a unanimous vote to reappoint Mr. Will Wagner to the White County CVB Board of Directors for a three (3) year term to expire June 30, 2022.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Goodger there was a unanimous vote to reappoint Mr. Olav Bushel and Ms. Suzanne D’Bate to the White County Library Board of Trustees for a four (4) year term to expire June 30, 2023.

Upon a motion made by Commissioner Bryant, seconded by Commission Goodger there was a unanimous vote to table the appointments to the White County Planning Commission in order to allow for additional applications.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Holcomb there was a vote to reappoint Commissioner Craig Bryant to the White County Water Authority Board of Directors to a two (2) year term to expire June 30, 2021. Commissioner Nix and Commissioner Bryant abstained from the vote. The motion passed by a 3-0 vote.

The Board discussed the recent opening of Yonah Preserve Ballfield Complex and there was a consensus that a gate needed to be installed at Mt. Yonah Drive.

Commissioner Bryant directed Mr. Gailey to make sure the soccer teams playing at the Tesnatee Sports Complex have access to ice.

Chairman Turner opened the floor for public participation.

Ms. Lillian Hall, 543 Leigh's Crossing – Ms. Hall encouraged the Board to look closely at the concerns the Riverkeeper's Organization had expressed regarding the mountain protection violations and encouraged the Board to strongly address the issues caused by the transient occupancy in the short term rentals within the county. She stated that any contacts assigned for short term rentals needed to have some sort of background check and any permissions granted for short term rentals of properties in R1 districts should revert back if the property is sold. Ms. Hall encouraged the Board to cover the moral aspect within the ordinance revisions in order to protect neighbors. She also expressed that a new x-ray machine is needed at the White County Courthouse.

Ms. Pam O'Dell – 63 Old Hickory Trail Blue Ridge, GA - Ms. O'Dell stated that she represents the Short Term Rental Owner's Association (STROAG) and has served as a career lobbyist with state government. She stated the association's interest is private property rights. She asked for a list of complaints filed with the county on short term rentals as well as any citations which had been issued to short term rentals. Ms. O'Dell stated that she works to resolve such issues. She stated that she does not view short term rentals as a violation of residential zoning. Specific concerns she addressed are: land use actions requiring two (2) public hearings, the requirement for obtaining a letter from an HOA, one size fits all parking restrictions without consideration for the number of acres, and she urged that any occupancy limits be set per bedroom. Ms. O'Dell expressed concerns about properties being posted while going through the rezoning process due to issues with crime. She stated that her association members utilize best practices to encourage good guest behavior.

Ms. Karen Robinson – 3160 Panorama Drive Sautee Nacoochee, GA – Ms. Robinson asked for clarification as to who Ms. O'Dell works for. Ms. O'Dell stated that STROAG is a membership organization representing short term rental owners.

Ms. Susan Paris – 334 Alpine Drive Sautee Nacoochee, GA – Ms. Paris stated that she owns a property which she rents on a short term basis and also resides in Florida. She stated that owners (not just short term guests) can be bad neighbors too and stated that her concern is what will happen to the county when all the short term rental properties go up for sell because owners cannot afford the properties if they are not allowed to use the properties as short term rentals. She stated property values would decline. Ms. Paris said she had never had any negative issues with her renters.

Mr. Steve Robinson – 3160 Panorama Drive Sautee Nacoochee, GA - Mr. Robinson spoke of specific problems he had experienced with short term rentals in his subdivision.

Mr. Tim Adcox – 270 Matterhorn Drive Sautee Nacoochee, GA – Mr. Adcox stated he had been visiting the area for over 30 years and was recently able to purchase a 2<sup>nd</sup> home in Swiss Colony and they are only able to visit a few weekends a month, so they need to be able to rent in order to afford to keep the property.

Ms. Debora Palmer – 310 Bonnie Pearl Lane Cleveland, GA – Ms. Palmer spoke of her opposition to having short term renters in her subdivision.

Mr. Dits Rinta-Koski – 126 Cardinal Lane Cleveland, GA – Mr. Rinta-Koski asked for clarification on the definition of short term rentals. It was clarified that only the rentals of less than 30 days would apply to the ordinance being discussed.

Mr. Robert Sloane – 268 Cameron Road Cleveland, GA – Mr. Sloane spoke of issues that residents of Swiss Colony had had with long term renters as well and explained how important good reviews are to both renters and owners.

Mr. David Reed – 3290 Panorama Drive Sautee Nacoochee, GA – Mr. Reed spoke of issues he had experienced personally with short term renters in his subdivision and the many times he had to contact the Sheriff's Office over the years and his concerns with short term rentals devaluing properties.

Mr. Mike Lober - Lober & Dobson, LLC 301 Creekstone Ridge Woodstock, GA – Mr. Lober spoke of his constitutional objections to the draft ordinance.

Chairman Turner closed the floor.

Ms. Jodi Ligon presented information to the Board concerning the preliminary proposed budget for FY20 for the Enotah Judicial Circuit. She stated that the budget for Superior Court, Juvenile Court, and the District Attorney – only increased by \$380.00 (0.05%) utilizing \$66,989.00 in fund balance (this would leave \$75,000.00 remaining in fund balance). Ms. Ligon stated that White County's contribution to this portion of the Enotah budget would decrease by \$3,600.00 (2%). For the portion of the budget included the Public Defender's Office, she stated that it would be increasing \$5,286.00 (1.2%). She explained that fund balance would be utilized to

cover that increase for the Public Defender. Ms. Ligon stated that White County's contribution to this portion of the Enotah budget would remain the same for the FY 20 budget. In summary, she explained that the Enotah Judicial Circuit Budget for FY 20 increased 1.25%; however due to the use of fund balance, White County's contribution decreased from FY 19.

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.

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

The minutes of the May 6, 2019 Work Session & Regular Meeting are hereby approved as stated this 4<sup>th</sup> day of June, 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