

WHITE COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE CALLED MEETING HELD

THURSDAY, MAY 9, 2019 AT 4:00 P.M.

The White County Board of Commissioners held a Called Meeting on Thursday, May 9, 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, County Attorney Mary Jane Henneke, Finance Director Jodi Ligon, and County Clerk Shanda Murphy.

Chairman Turner called the meeting to order.

Mr. Melton presented the following recommendations for consent agreements related to recent Mountain Protection Ordinance Violations at 41 Nugget Ridge Sautee Nacoochee, GA and 186 Cub Trail Sautee Nacoochee, GA. He stated if the Board approved the parameters, the following would be offered to the property owners in order to settle the violations prior to the case being handed over to Magistrate Court.

- 41 Nugget Ridge Sautee Nacoochee, GA (Property Owner Robert Sloane): \$2,500.00 assessment, one-half of the county's expense for the services of an arborist \$1,800.00, and compliance with a reforestation plan as provided by the arborist.
- 186 Cub Trail Sautee Nacoochee, GA (Property Owner Christopher Clackum): \$1,000.00 assessment, one-half of the county's expense for the services of an arborist \$1,800.00, and compliance with a reforestation plan as provided by the arborist.

Mr. Melton did note that the property owners would be required to have a certified arborist verify that the reforestation plan had been completed during the next planting season as outlined in the reforestation plan. He also clarified that the difference in the assessments was related to the size of trees which were cut on the two different properties.

Ms. Henneke reviewed the legal statues for environmental violations.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Nix there was a vote to approve the parameters of a consent agreement to be offered for mountain protection ordinance violations at 41 Nugget Ridge Sautee Nacoochee, GA (Property Owner Robert Sloane): \$2,500.00 assessment, one-half of the county's expense for the services of an arborist \$1,800.00, and compliance with a reforestation plan as provided by the arborist. Commissioner Holcomb and Chairman Turner voted in favor of the motion – Commissioner Bryant opposed the motion. The motion passed by a 4-1 vote.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Holcomb there was a unanimous vote to approved the parameters of a consent agreement to be offered for mountain protection ordinance violations at 186 Cub Trail Sautee Nacoochee, GA (Property

Owner Christopher Clackum): \$1,000.00 assessment, one-half of the county's expense for the services of an arborist \$1,800.00, and compliance with a reforestation plan as provided by the arborist.

There was a consensus of the Board to direct staff to bring back information on proposed updates to the fine structure for the Mountain Protection Ordinance – within 60 days if possible. Mr. Melton stated that he was working with Georgia Forestry and White County Extension Office on this item.

Mr. Melton read the proposed revisions to Article VII of the White County Land Use Ordinance – which specifically addressed short term rentals in the unincorporated area of White County.

Ms. Henneke advised that in order to avoid any constitutional issues it would be advisable to allow short term rentals in any residential (or agricultural) district either as a permitted use or as a conditional use. She also explained that regardless of what is or is not allowed within the land use ordinance, property owners are still subject to any restrictive covenants associated with their property.

Commissioner Goodger stated that he objected to the changes made from the previous revision to Section 702(b) – where the revision was made to the draft for the county not to consider covenants in their decision process. Ms. Henneke stated that issues of covenant are between the homeowners association and the property owner and it is not appropriate for the county to be involved with interpretations on that level and those who object due to covenant issues (or other issues) will be able to state so in the public hearing process.

There was discussion concerning the requirements for the posting of occupational tax certificates at the short term rental location, issues with specifically restricting the number of guests with a single, exclusive rental party at a single location not being possible, and 24 hour contact processes.

There was a consensus that the Board would move forward with their considerations on the revisions to the White County Land Use Ordinance by publishing the entire proposed revisions and scheduling an advertised public hearing on the issue for Tuesday, June 4, 2019 at 4:00 p.m.

Mr. Melton presented two (2) documents related to easement needed for Phase 3 of the West Cleveland Bypass a/k/a Appalachian Parkway – one for Georgia Power for property located adjacent to the White County Convenience Center and one for the Georgia Department of Transportation for property adjacent to the White County Detention Center.

Upon a motion made by Commissioner Nix, seconded by Commissioner Bryant there was a unanimous vote to approve associated documents for Georgia Power and the Georgia Department of Transportation regarding easements requested for the Phase 3 West Cleveland Bypass.

Upon a motion made by Commissioner Nix, seconded by Commissioner Holcomb there was a unanimous vote to approve a supplemental Local Maintenance and Improvement Grant (LMIG)

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application to the Georgia Department of Transportation requesting funds for improvements to Shepherd Drive.

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 9, 2019 Called Meeting are hereby approved as stated this 4th 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