



**MINUTES
MARCH 27, 2018
5:30 P.M.**

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

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

**PUBLIC HEARING
FIRST READING OF ALCOHOL LICENSE
FOR SWARUTH, INC/DBA CHEVRON**

County Attorney Brian Ranck stated this is the first reading of the alcohol license for Swaruth, Inc./dba Chevron and opened the public hearing for anyone wishing to speak in favor of the request. No one spoke in favor. Mr. Ranck opened the public hearing for anyone wishing to speak in opposition. No one spoke in opposition. Mr. Ranck closed the public hearing.

LAND USE PUBLIC HEARING

1. VARIANCE REQUEST FROM JAMES CANTRELL, 68 PACE ROAD, TOCCOA, GA. PARCEL 060 025. SUBJECT PROPERTY IS CURRENTLY ZONED AS RESIDENTIAL SINGLE FAMILY. THE PROPOSED ACTION TO BE TAKEN IS TO GRANT A LOT SIZE VARIANCE OF LESS THAN ONE ACRE

Ms. Ayers stated this particular piece of property 30 years ago was 1.93 acres, there was some right of way deeded to Pace Road and it did not allow them to divide this property close to one acre each. The proposed variance is to allow this to be split for a family member. The surrounding zoning is Residential Single, Agriculture Intensive and Agriculture Residential. Residential Single requires a minimum lot size of 1.0 acre. You have a survey that shows .525 per lot and that would be the recommended split. There are already homes operating on those lots. Ms. Ayers opened the public hearing for anyone wishing to speak in favor of the request. Mr. James Cantrell stated he lives at 68 Pace Road and he would appreciate the board considering his request so he can give part of it to his granddaughter. No one else spoke in favor. Ms. Ayers opened the public hearing for anyone wishing to speak in opposition of the request. No one spoke in opposition. Ms. Ayers stated the Planning Commission voted 4-1 to approve as long as the homes met the district setback requirements and the lots were split as close to the one acre minimum as possible.

2. VARIANCE REQUEST FROM WENDELL & PAULINE MCFARLIN, 6214 MIZE ROAD, TOCCOA, GA. PARCEL 035 010. SUBJECT PROPERTY IS CURRENTLY ZONED AS RESIDENTIAL SINGLE FAMILY. THE PROPOSED ACTION TO BE TAKEN IS TO GRANT A VARIANCE TO PLACE A MOBILE HOME ON LOT WITH EXISTING HOME

Ms. Ayers stated this property is 10.03 acres, there are currently two residences on the property; the request would be to place a third residence on the property. The surrounding land use is Residential,

Agriculture and Commercial. The Residential Single district requires a variance for more than one residence per lot. There are currently two residences on the lot grandfathered in prior to the adoption of the Land Use Regulation Ordinance. The applicant intends to deed off one acre to a family member when their funds allow them to pay for a survey. The applicant states they have septic approval. The Building Inspector has looked at the mobile home and has stated there are no issues. In your packet is a drawing of what the deed would look like for one acre and that it would meet the setbacks. Ms. Ayers opened the public hearing for anyone wishing to speak in favor of your request. Ms. Pauline McFarlin stated this had been a long and drawn out process and hoped the board would consider the request and approve it. No one else spoke in favor of the request. Ms. Ayers opened the public hearing for anyone wishing to speak in opposition of the request. No one spoke in opposition.

3. **CONDITIONAL USE REQUEST FROM PETITIONER MARK SMITH, EASTANOLLEE, GA FOR PROPERTY OWNER RANDY FISHER, 330 CLARKS CREEK ROAD, PARCEL 062 023. SUBJECT PROPERTY IS CURRENTLY ZONED AS AGRICULTURE INTENSIVE. THE PROPOSED ACTION TO BE TAKEN IS A CONDITIONAL USE REQUEST TO BUILD TWO LAYER POULTRY HOUSES**

Ms. Ayers stated this property is 46.03 acres and currently houses a residence with agriculture land in conservation use. The request is for the buyer of the property to build two poultry layer houses. The property is in an agriculture and residential mixed use environment. The property is zoned Agriculture Intensive. The layout of the proposed houses meets the district requirement setbacks. There does not appear to be any issues listed in Section 1608 when considering this Conditional Use. The use requested should not be dangerous, offensive, unhealthy or detrimental to the community. You will find a map in your packet of where the houses will be located. Ms. Ayers opened the public hearing for anyone wishing to speak in favor of the request. Mr. Mark Smith stated he and his wife Jennifer look forward to being able to develop this farm into a working farm. Mr. Fisher has done a lot to the land and it looks really nice. In order to sustain a farm these days you have to have something that makes a living and the poultry industry does that. Mr. Smith stated he would appreciate the board approving it. No one else spoke in favor of the request. Ms. Ayers opened the public hearing for anyone wishing to speak in opposition of the request. No one spoke in opposition. Ms. Ayers closed the public hearing.

REGULAR MEETING

Chairman Michelle Ivester called the regular meeting to order and welcomed those present. Vice-Chairman Dean Scarborough gave the invocation and led the Pledge of Allegiance.

II. APPROVE AGENDA

A motion was made by Commissioner Bell, seconded by Commissioner Scarborough to approve the agenda with addition to add Item #14. **Motion carried unanimously.**

III. APPROVE MINUTES – MARCH 13, 2018

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

IV. OLD BUSINESS

1. **BOARD TO CONSIDER MOTION TO APPROVE REVISED BUDGET CALENDAR FOR FISCAL YEAR 2019**

A motion was made by Commissioner Scarborough, seconded by Commissioner Bell to approve the revised budget calendar for fiscal year 2019. **Motion carried unanimously.**

V. NEW BUSINESS

1. E911 DEPARTMENT TO PRESENT SPRING FLING INFORMATION AND MISSING CHILDREN PROJECT FROM THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN TO THE BOARD

E911 Dispatchers Lynn Thurmond and Megan Fraser discussed the upcoming Spring Fling and stated they have had a great response from the public. Ms. Fraser stated in the news you see that public safety has a bad rap and you only hear what they have done wrong. This is a way for us to bridge the gap and the children see the ones that daily risk their lives for us and their not afraid. We have reached out to every local agency and they have been on board, we have reached out to the State Patrol and other State Agency and they are on board. Ms. Thurmond stated we thought it would be small but now it is a huge event and people are calling us and wanting to be involved. This will be a free event everything at the event is free. We have Papa John's bringing t-shirts, bounce houses and a dunking booth. We have agencies outside of the County that want to be a part of it. We are hoping to do this every year. Ms. Fraser stated you don't realize how afraid the children are until you sit where we sit, most of them are frightened and sometimes angry and we hope this will help the children see we are not out here to hurt them but help them.

Ms. Thurmond stated the other item they wanted to discuss is the National Center for Missing and Exploited Children they have developed a missing kid's readiness program to promote best practices for responding to calls to missing, abducted and sexually exploited children. Ms. Thurmond stated to meet the requirements for the program Danielle worked with the Center on their missing child policy to ensure it met the criteria elements of all National Center for Missing and Exploited Children for all E911 call center agencies. Ms. Thurmond stated in addition the Director Danielle, all front line supervisors and telecommunicators completed the necessary training for membership as a result of training a new policy for Stephens County 911 is in position to respond more quickly, comprehensive, and effectively when a child's life may be at stake which is a big deal to us too. Stephens County 911 is now one of just 285 missing kids readiness programs in the United States who has achieved the status and the ninth within the State of Georgia. When a missing, abducted or exploited child is reported there are specific intake questions that have to be asked, going forward all of the employees will be trained. We are very excited about this. Chairman Ivester stated that is awesome, congratulations ya'll have done a great job. The Spring Fling is the same day as Amnesty Day and we can pass out flyers so they can come there as well. Commissioner Bell stated it takes a lot of work to get something like this done, ya'll are the front line hero's.

No motion needed.

2. HABERSHAM COMMISSIONER ED NICHOLS TO DISCUSS HABERSHAM COUNTY'S BICENTENNIAL CELEBRATION THIS YEAR

Commissioner Ed Nichols read and presented the Board of Commissioners with a proclamation commemorating Habersham's Bi-Centennial Year celebration. Mr. Nichols invited everyone to Habersham stating they will be having different events each month and putting a book together.

No motion needed.

3. SUSAN HARRIS TO PRESENT REPORT TO BOARD OF COMMISSIONERS FROM HEARTS FOR FAMILIES AND AVITA

Ms. Susan Harris gave an update on programs that AVITA provides. Ms. Harris stated Judge Smith is starting a Mental Health Accountability Court and partnered with AVITA and we will provide a staff member to help coordinate services. AVITA is starting the Yellow Ribbon Program to help prevent suicide and hope to get it in all schools next year. The Gainesville Times is doing a series of podcast on Opioid Addiction; there will be six different news articles. The sixth one will be sponsored by AVITA and will be airing March 22nd. AVITA partnered with the Tim Tebow Foundation and held "A Night To Shine" on February 9th for disabled adults. It was a great party for them to feel like Kings and Queens. AVITA is having some staffing problems and they are moving staff around to cover the positions. AVITA is adding American Sign Language Counselors to their programs and looking for counselors for our area. AVITA operates securely and safely in the black.

Ms. Susan Harris gave an update to the Board from Hearts for Families and discussed the new program they are starting for underage drinking. We want our youth to make healthy decisions; there is parental component for parents to get involved. Ms. Harris stated she brought some of the SAFE Homes Brochures which are an environmental campaign for the whole community to make homes alcohol and tobacco free. We want our community to be a better and safer place for our kids. We are also looking at a program called Media Ready designed for 6th, 7th and 8th graders and it is a ten session program. Commissioner Whitlock asked about the Outpatient Program and how we would go about getting one. Ms. Harris stated she would check into that and get back with her. Commissioner Whitlock asked about the dual diagnosis. Ms. Harris stated the coordinator lives in Habersham and is not sure she will be the one to be with Judge Smith. They are thinking about hiring someone. Ms. Harris invited the board to come and observe the All-star Program on Tuesdays at 5:00 p.m. at the Boys and Girls Club.
No motion needed.

4. VARIANCE REQUEST FROM JAMES CANTRELL, 68 PACE ROAD, TOCCOA, GA. PARCEL 060 025. SUBJECT PROPERTY IS CURRENTLY ZONED AS RESIDENTIAL SINGLE FAMILY. THE PROPOSED ACTION TO BE TAKEN IS TO GRANT A LOT SIZE VARIANCE OF LESS THAN ONE ACRE

Mr. Ranck stated the reason for the variance is the right of way reduced the lot size and without the right of way to the County they would have been able to meet the minimum lot size.
A motion was made by Commissioner Whitlock, seconded by Commissioner Bell to approve the variance request. **Motion carried unanimously.**

5. VARIANCE REQUEST FROM WENDELL & PAULINE MCFARLIN, 6214 MIZE ROAD, TOCCOA, GA. PARCEL 035 010. SUBJECT PROPERTY IS CURRENTLY ZONED AS RESIDENTIAL SINGLE FAMILY. THE PROPOSED ACTION TO BE TAKEN IS TO GRANT A VARIANCE TO PLACE A MOBILE HOME ON LOT WITH EXISTING HOME

A motion was made by Commissioner Whitlock, seconded by Commissioner Scarborough to approve the variance request with the condition that the survey and deed are done within the year. **Motion carried unanimously.**

6. CONDITIONAL USE REQUEST FROM PETITIONER MARK SMITH, EASTANOLLEE, GA FOR PROPERTY OWNER RANDY FISHER, 330 CLARKS CREEK ROAD, PARCEL 062 023. SUBJECT PROPERTY IS CURRENTLY ZONED AS AGRICULTURE INTENSIVE. THE PROPOSED ACTION TO BE TAKEN IS A CONDITIONAL USE REQUEST TO BUILD TWO LAYER POULTRY HOUSES

A motion was made by Commissioner Bell, seconded by Commissioner Scarborough to approve the conditional use request. **Motion carried unanimously.**

7. BOARD TO CONSIDER MOTION TO GRANT A VARIANCE FOR SETH LARSEN TO ALLOW FOR TEMPORARY HOUSING FOR PARENTS TO STAY IN A MOTOR HOME ON HIS PROPERTY LOCATED AT 158 LAUREL MOUNTAIN DRIVE

Seth Larsen stated he has made a place for his parents to keep their RV parked on his property. They travel a lot and when they are not on the road they stay on his property. Chairman Ivester stated our ordinance states you can stay in an RV for 60 days, do they stay longer. Mr. Larsen stated no. Mr. Ranck stated you may not need to even grant a variance if you don't need to it would set precedence if you don't have to do it. Commissioner Whitlock asked if they would ever stay longer than 60 days. Mr. Larsen stated no mam; right now they are his mom had knee surgery so she is staying there now and not sure when they will be able to make another trip. Commissioner Whitlock asked is that why you are doing this? Mr. Larsen stated yes, in case something comes up. Chairman Ivester stated in her opinion if they are not staying more than 60 days there would be no reason in granting a variance. Ms. Ayers stated this actually got started we had people complaining, Tony has already visited him to kick them out. Commissioner Scarborough stated we need to make a decision one way or another today. Mr. Ranck stated if it is going to be more than 60 days you need to take action and see what distinguishes this request from other similar request and place a time limit beyond 60 days. Commissioner Whitlock asked where his parents live. Mr. Larsen stated they live in the RV his dad is almost at retiring they sold their home and travel. Commissioner Whitlock asked how long they have lived in the RV. Mr. Larsen stated a couple years but they haven't been at his house that long. Mr. Ranck asked if they had their own septic tank. Mr. Larsen stated yes and he has all the permits for building. Mr. Ranck stated the ordinance which deals with campers the basis behind that is public safety and if you have septic that is taken care of. You will have to think about other situations some may go beyond 60 days. Chairman Ivester stated she was not a fan of campers set up throughout the County, your reason she did not have a problem if not there more than 60 days. Mr. Larsen stated right now he was worried about how long his mom would be there. Commissioner Whitlock asked if his mom had already had the surgery. Mr. Larsen stated yes and everything is looking good; she will have to have the other one worked, we are waiting till June to do the other one. Commissioner Whitlock stated that is 60 days do you want to say six months. Mr. Larsen stated he had put a lot of work into it to make it look nice. Mr. Ranck stated the decision that has to be made is to prove intervals more than 60 days.

A motion was made by Commissioner Whitlock, seconded by Commissioner Scarborough to grant a variance for Seth Larsen to allow temporary housing not to exceed six months for parents to stay in a motor home on his property located at 158 Laurel Mountain Drive provided septic approval from Health Department. **Motion carried unanimously.**

8. BOARD TO CONSIDER MOTION TO APPROVE AND AUTHORIZE CHAIRMAN TO SIGN SOFTWARE LICENSE AND SERVICE AGREEMENT WITH ZUERCHER FOR THE PUBLIC SAFETY SOFTWARE SYSTEM

A motion was made by Commissioner Scarborough, seconded by Commissioner Whitlock to approve and authorize Chairman to sign agreement with Zuercher. **Motion carried unanimously.**

9. BOARD TO CONSIDER MOTION TO APPROVE FY 2018 BUDGET AMENDMENT FOR CHIEF EXECUTIVE, E911, COUNTY CLERK, GOVERNING BODY, TAX COMMISSIONER AND AUTHORIZE CHAIRMAN TO SIGN RESOLUTION

A motion was made by Commissioner Bell, seconded by Commissioner Scarborough to approve FY 2018 budget amendments and authorize Chairman to sign resolution. **Motion carried unanimously.**

10. BOARD TO CONSIDER MOTION TO ADOPT THE 2018 PROPOSED WORK PLAN FOR PUBLIC WORKS AS PRESENTED

Ms. Ayers stated the Roads and Bridges Committee met with her, Keith and Jason and this list are the roads to present to the board. Ms. Ayers discussed the roads and the work that would be done on haul roads, subdivisions and other roads. There will be some crack sealing work done; paving and chip seal work done. Ms. Ayers stated they would also be doing work on the City Roads. Ms. Ayers stated the material cost does not reflect the negotiated prices coming up. She stated they were watching funds very carefully that we have enough to carry us through SPLOST VI. We have our days spent on each road and it will depend on the weather. Ms. Ayers stated Keith prepared a list of how many miles of roads we did in 2015, 22 miles and we crack sealed 19 miles. In 2016 it was 26 miles and we crack sealed 17 miles; in 2017 34 miles and Off System Safety was 187 miles since 2015. Commissioner Whitlock stated when you see it on paper it is very impressive. Commissioner Scarborough asked are you coming back and cutting in on the roads we did last year where there is a difference. Ms. Ayers stated yes we usually do that in the off season, the weather has hurt us. Some of it will grow back on its own. Commissioner Scarborough stated he was talking about road to road. Ms. Ayers stated if you get me a list of the roads you are talking about she would get the Road Department out there.

A motion was made by Commissioner Bell, seconded by Commissioner Whitlock to adopt the 2018 proposed work plan for Public Works. **Motion carried unanimously.**

11. BOARD TO CONSIDER MOTION TO AWARD THE PURCHASE OF CRS-2H TO SOUTHEAST EMULSIONS FOR THE 2018 ROAD WORK SEASON AND AUTHORIZE ADMINISTRATOR TO SIGN

A motion was made by Commissioner Whitlock, seconded by Commissioner Scarborough to award the purchase of CRS-2H to Southeast Emulsions for the 2018 road work season and authorize Administrator to sign. **Motion carried unanimously.**

12. BOARD TO CONSIDER MOTION TO ACCEPT 2018 FIXED PRICING OPTIONS WITH CW MATTHEWS AND AUTHORIZE ADMINISTRATOR TO SIGN

A motion was made by Commissioner Scarborough, seconded by Commissioner Whitlock to accept the 2018 fixed pricing options with CW Matthews and authorize Administrator to sign. **Motion carried unanimously.**

13. BOARD TO CONSIDER MOTION TO ADOPT STEPHENS COUNTY MARKET POLICIES AND OPERATING PROCEDURES

Ms. Ayers stated she and Randall met with about six of the vendors and went through the policies and procedures to meet our needs. Those chose to operate April 15th through October 31st; Saturdays from 8-noon and Thursdays from 3:00 – 7:00 p.m. Buildings and Grounds and a road worker built some tables and fixed things over at the old building; a new roof and bathroom. After we adopt these today, Monday the advertisement will go and our opening day will be April 21st. We have an application process they will have to go through, we will advertise for them. We are not looking at this long term we will get through this season. Union County charges an annual fee of \$225; we are charging \$25.00. The official name will be Stephens County Market. Chairman Ivester stated we have a group that is working on some long term opportunities for the Farmer's Market. Chairman Ivester stated she has looked at Union County's Market and ours will not be that large. We have had a contractor that stated he will build it for free if we provide the materials and maybe we can get some grant money. Ms. Ayers stated we dropped the word Farmer because you can sell arts and crafts but the vendors must have created them.

A motion was made by Commissioner Scarborough, seconded by Commissioner Whitlock to adopt the Stephens County Market Policies and Operating Procedures. **Motion carried unanimously.**

14. BOARD TO CONSIDER MOTION TO ENTER INTO A CONTRACT WITH FIRST CITIZENS BANK FOR THE PURCHASE OF 230 N. SAGE STREET AND AUTHORIZE CHAIRMAN TO SIGN CONTRACT.

A motion was made by Commissioner Scarborough, seconded by Commissioner Bell to authorize Chairman to sign real estate agreement. **Motion carried unanimously.**

VI. INVOICES OVER \$5,000

1. ACREE OIL CO. - \$11,162.85
2. ACREE OIL CO. - \$ 5,646.00

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

VII. MATTERS FROM DEPARTMENTS

1. ADMINISTRATOR/FINANCE REPORT
2. DEPARTMENT REPORT

Ms. Ayers stated the bids for the Currahee Slope are due April 5th and will open on April 6th, there were three people to come to the pre bid meeting.

Ms. Ayers stated the Old Stephens County Training Center bids are due March 28th and will open March 29th. The Senior Center Therapeutic pool bids are due April 4th and will open April 4th.

3. COMMISSIONERS REPORT

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

IX. EXECUTIVE SESSION -

X. ADJOURNMENT

A motion was made by Commissioner Scarborough, seconded by Commissioner Bell to adjourn the regular meeting at 6:42 p.m. **Motion carried unanimously.**

Approved this _____ day of _____, 2018

Michelle Ivester, Chairman

Attest:

Beth Rider, County Clerk