**WHITE COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF THE PUBLIC HEARING, WORK SESSION, & CALLED MEETING HELD**

**MONDAY, JULY 31, 2023 AT 4:30 P.M.**

The White County Board of Commissioners held a Public Hearing on the setting of the 2023 Millage Rate, a Work Session and a Called Meeting on Monday, July 31, 2023 at 4:30 p.m. in the Board Room at the Administration Building. Present for the meeting were: Chairman Travis Turner, Commissioner Terry Goodger, Commissioner Lyn Holcomb, Commissioner Edwin Nix, Commissioner Craig Bryant, Interim County Manager Billy Pittard, Finance Director Jodi Ligon, and Human Resources Coordinator Krystal Talley (filling in for County Clerk Shanda Murphy).

Chairman Turner called the meeting to order.

Ms. Jodi Ligon made a presentation regarding the proposed 2023 millage rate (see attached). This was the third of three public hearings required in order for the Board of Commissioners to maintain the current millage rate of 9.505 – which would be 0.353 mills (or 3.86%) over the rollback millage rate of 9.152 mills.

Following the presentation, Chairman Turner opened the floor for public comment on the proposed 2023 millage rate.

Ms. Teddy Boling, 575 Campbell St Cleveland, Ga – expressed her opposition to any tax increase and asked the Board to take the rollback millage rate. She spoke about the “pinch” of inflation that everyone was feeling. She also spoke about being offended by comments made by Commissioner Goodger prior to a Cleveland City Council meeting.

Mr. Russel Mobley, 570 Mossy Cove Road Sautee Nacoochee, Ga – stated his appreciation for the county’s quality upkeep of Bean Creek Road. He had looked over the areas of the county’s budget that had increased and supported the necessary tax increase in order to continue receiving the services provided.

Ms. Meryl Cook, 119 Mountainside Drive Cleveland, Ga – stated she did not have an issue with the property assessment increases as she understands what has happened with the real estate market, however she would like to see a reduction in the millage rate due to the hardship on residents with fixed incomes.

Ms. Susan Adams, 334 Lakemont Drive Cleveland, Ga – stated she had moved back to White County from Hall County two (2) years ago and was shocked by the unexpected tax impact. She said she received more services in Hall County and paid half the taxes. She also commented that her property assessment had increased over $300,000.00 in just two (2) years and asked that the Board consider the impact the increased taxes have on residents.

Mr. Ridley Kinsey, 284 Forked Leaf Road Cleveland, Ga – commented about issues he had with his property assessment, spoke about short-term rentals, and asked about revenue collections. He asked that the Board set the millage rate below 9.50.

Ms. Antonella Skinner, 254 Stone Cliff Trace Cleveland, Ga – stated the budgeted salary increase for county employees was up to 6% and the national average is 4% and she can not support a tax increase with property values continuing to increase.

Mr. Gary Evans, 22 Asbury Landing Drive Cleveland, Ga – commented he had moved here 10 years ago from Florida and in Florida that was a “Save Our Homes Act” that limited the amount which a property assessment can increase each year. Chairman Turner advised that implementing something of that nature would be a state level issue. He said he had spoken with local legislators on the issue and encouraged others to do the same.

Chairman Turner asked Mr. Pittard to explain the “taxable value freeze” available for homesteaded properties in the County. Mr. Pittard stated that this freeze holds your assessed value to 40% value at the time of filing unless improvements are made to the property – although the assessed value may increase, the taxable value is frozen for the home and up to five (5) acres.

Susan Hage, 1184 Logans Ridge Road Cleveland, Ga – asked about the Board of Education’s millage history and was advised that is tracked through the Board of Education and she could get that information from their office. She stated that from what she is gathering, her taxes are more influenced by the school than the county and she needs to get involved on that side.

With no additional comments, Chairman Turner closed the floor.

Commissioner Bryant made comments regarding the millage rate history over the past 20+ years, how the millage rate had increased about .60, and spoke of his own property assessment increasing. He spoke about the services (fire, law enforcement, ambulance, etc.) that have to be provided and assured the public that the Board if very conscious with taxpayer funds.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Goodger there was a unanimous vote to adopt resolution (County Resolution No. 2023-11) setting the 2023 Millage Rate for White County (County & School) thereby providing authorization for the chairman to execute:

* PT 32.1 Form, Computation of Millage Rate Rollback - 2023;
* PT 35 Form, County Millage Rate Certification for Tax Year 2023;
* Certification of use of insurance premium tax in the unincorporated area of White County; and
* Certification of Pending Appeals.

**WHITE COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION NO. 2023-11**

**A RESOLUTION SETTING THE YEAR 2023 MILLAGE RATE**

**WHEREAS,** the White County Board of Commissioners is the taxing Authority of White County; and

**WHEREAS,** the digest for the taxable year 2023 has been established; and

**WHEREAS,** the White County Board of Commissioners has adopted a budget for the fiscal year beginning July 1, 2023, wherein there is included a portion of revenues to be derived from property taxes; and

**WHEREAS,** the White County Board of Education has approved an M&O millage rate for the taxable year 2023, along with no school bond millage rate;

**NOW, THEREFORE,** the White County Board of Commissioners hereby sets the taxable year 2023 millage rate for the incorporated and unincorporated areas as follows:

**County portion 9.505;**

**State portion .00;**

**School portion 13.175;**

**School Bond portion 0.0; and**

**Total 22.68**

**RESOLVED**, this 31st day of July 2023.

**WHITE COUNTY BOARD OF COMMISSIONERS**

s/Travis C. Turner Travis C. Turner, Chairman

Attest:
s/Shanda Murphy
Shanda Murphy, County Clerk

Mr. John Sell, Director of Community & Economic Development, presented the land use application filed by Oleksandr Fedoruk to redistrict property located at 648 Will Hambrick Road Cleveland, Georgia from A-1 Agriculture Forestry District to R-3 Residential Seasonal District - tax map and parcel 077-059 / total acreage of 11.31. The proposed use is to place in a short-term rental program / rental cabin development. He stated that Mr. Fedoruk’s plans were for the initial phase to be made up of rental cabins – which Mr. Sell noted would require one (1) acre each and the second phase would be an event venue to accommodate 200 to 250 people. The Planning Commission held a public hearing on the application at which there was opposition related to traffic concerns and possible issues with renters. The Planning Commission made a recommendation to deny the application based on the proposed project not fitting into the community. Mr. Mark Fedoruk represented the application and confirmed the information presented by Mr. Sell. He said they planned to only start out with a few cabins initially and to keep the area very secluded – as they wanted the area to be a quiet place for people to get away. They would be adding additional landscape to add to the secluded feel. He stated that they wanted the same things as the neighbors who spoke in opposition – for this to remain a quiet, safe community. Chairman Turner spoke about neighboring property being zoned industrial and conflicts that may cause. Mr. Fedoruk stated that they are at the property during the weekends and have never experienced problems with noise from the industrial property – they have seen no issues. Commissioner Holcomb asked if they would consider long-term rentals. Mr. Fedoruk said long-term rentals are not part of their plan. Mr. Fedoruk stated that he lives in Cumming, Ga and no one occupies the house on the property at this time. Commissioner Nix stated that he also had concerns that this project would not fit into the community.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Nix there was a unanimous vote to deny the land use application filed by Oleksandr Fedoruk to redistrict property located at 648 Will Hambrick Road Cleveland, Georgia from A-1 Agriculture Forestry District to R-3 Residential Seasonal District - tax map and parcel 077-059 / total acreage of 11.31 – with the proposed use being to place in a short-term rental program / rental cabin development based on the project not keeping with the characteristics of the area and safety concerns.

Mr. Sell presented the land use application filed by Russell Chiodo to request a conditional use permit at 480 Brown Road Cleveland, Georgia - tax map and parcel 022-142 - total acreage is 1.00. The proposed use is to place in a short-term rental program within the present zoning of R-1, Residential Single-Family District. He stated the property is not located in a subdivision, there are no other short-term rentals in the area, the maximum occupancy would be six (6) guests, and the property would be self- managed. He has been renting the property, however, just recently became aware of the county’s requirements. Mr. Sell stated that lodging taxes had been paid through the marketplace facilitators he used. The Planning Commission held a public hearing on the application, there was no opposition to the application, and the Planning Commission made a recommendation for approval. Mr. Chiodo confirmed the information presented and spoke about his love for the community. Commissioner Bryant asked Mr. Chiodo when they would be moving to White County as full-time residents. Mr. Chiodo said his wife would love to live here full-time, however he has a love of traveling that prohibits that.

Upon a motion made by Commissioner Nix, seconded by Commissioner Holcomb there was a unanimous vote to approve the land use application filed by Russell Chiodo to request a conditional use permit at 480 Brown Road Cleveland, Georgia - tax map and parcel 022-142 - total acreage is 1.00. The approved use is to place in a short-term rental program within the present zoning of R-1, Residential Single-Family, with the approval contingent upon verification that lodging taxes have been remitted to the County.

Mr. Sell presented the land use application filed by James & Loretta Chapman to request a conditional use permit at Valley View Drive Tract B Cleveland, Georgia - tax map and parcel 003-039C - total acreage is 2.37. The proposed use is to place in a short-term rental program within the present zoning of R-1, Residential Single-Family District. He stated this is a vacant lot on which the applicant wants to construct a home to eventually retire to. The maximum occupancy would be eight (8) people. It is currently accessed off Valley View Drive which is a private gravel road that Mr. Chapman helps maintain. The Planning Commission held a public hearing on the application where there was opposition based on traffic and safety concerns. There was a petition of opposition presented to the Planning Commission as well. Ultimately, Mr. Chapman agreed for access off Harkins Road, which is a county road, in order to address some concerns of the neighbors. The Planning Commission made a recommendation to deny the application based on the potential impact to the residents and non-conformance with the character of the neighborhood. Mr. Chapman said he and his wife stay in the area quite a bit and wanted to have a home they could stay in while here visiting from Atlanta with the ability to market it as a short-term rental when they were not utilizing it – with the plan to eventually retire here. He said he wanted to be a good neighbor, have guests that do that as well, and offer a short-term rental outside the other areas that are saturated with vacation rentals. He mentioned the many venues and wineries within proximity to the property and expressed his total willingness to access the property off Harkins Road. He informed the Board of his experience in real estate and rentals. He confirmed that their plans were to build only one (1) dwelling at this time. Commissioner Nix described the area as undisturbed; he did not think a short-term rental fit the characteristics of the residential area where everyone knows everyone, and there are no tourist destinations in the area of Kellum Valley. Commissioner Goodger stated that based on his conversation with a neighboring property owner, the basis for the petition may have been misrepresented. Commissioner Bryant asked Mr. Chapman how he could pre-screen his guests to know they were good guests. Mr. Chapman explained that VRBO and Airbnb not only allow the guest to review the rental, but also allow the owners to review the guests. Ms. Chapman added that the nightly rate bracket they will be in, the deposit they require, and the rules that are noted upfront deter most anyone from renting who does not intend to be a respectful renter. Chairman Turner confirmed that the Chapman’s had been made aware of the county’s regulations for short-term rentals. Ms. Chapman said they would be providing their contact information to the neighbors, as they want to be a part of the community and know if there are any issues at all.

Upon a motion made by Commissioner Nix, seconded by Commissioner Holcomb there was a vote to deny the land use application filed by James & Loretta Chapman to request a conditional use permit at Valley View Drive Tract B Cleveland, Georgia - tax map and parcel 003-039C - total acreage is 2.37, with the proposed use being to place in a short-term rental program with in the present zoning is R-1, Residential Single-Family District – based on the short-term rental not fitting the characteristics of the neighborhood. Commissioner Bryant and Chairman Turner voted in favor of the motion. Commissioner Goodger opposed the motion. The motion to deny the application passed by a 4-1 vote.

Mr. Sell presented the land use application filed by John Carter, on behalf of A Lincoln LLC, to redistrict property located on Hulsey Mill Road Cleveland, Georgia from C-1 Community Commercial District to R-1 Residential Single-Family District. Tax map and parcel 064-058B. Total acreage is 1.01. He stated that Mr. Carter was planning to build a house on the property, the Planning Commission held a public hearing on the application, at which there was no opposition and recommended approval of the application. Mr. Carter advised that he had purchased three (3) one (1) acre lots and two (2) of the lots were zoned R-1, however the third had been zoned C-1. He planned to build three (3) spec houses on the lots and sale.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Nix there was a unanimous vote to approve the land use application filed by John Carter, on behalf of A Lincoln LLC, to redistrict property located on Hulsey Mill Road Cleveland, Georgia from C-1 Community Commercial District to R-1 Residential Single-Family District. Tax map and parcel 064-058B. Total acreage is 1.01.

Mr. Sell presented the land use application filed by Stephen Kahle to request a conditional use permit at 2374 Dean Mountain Road Cleveland, Georgia - tax map and parcel 087-006 - total acreage is 1.30. The proposed use is to place in a short-term rental program. Present zoning is R-1 Residential Single-Family District. He stated the property is not located in a subdivision, there are several other short-term rentals in proximity to the property, and the maximum occupancy would be 6 to 8 guests. He explained this had been Mr. Kahle’s primary residence since 1996. The Planning Commission held a public hearing on the application, there was no opposition stated, and the Planning Commission recommended approval of the application. Mr. Kahle confirmed the information presented. Commissioner Bryant asked about the maintenance of the road, as he noticed the road is in rough shape. Mr. Kahle said he would probably end up having to put some money into the road. He said that the neighbors do pitch in to pay for the road upkeep when needed, but he is not aware of any formal road maintenance agreement. Commissioner Nix stated his concerns about the accessibility of the short-term rentals approved by the board. Chairman Turner stated that this would be a matter of discussion in the coming months.

Upon a motion made by Commissioner Goodger, seconded by Chairman Turner there was a vote to approve the

land use application filed by Stephen Kahle for a conditional use permit at 2374 Dean Mountain Road Cleveland, Georgia - tax map and parcel 087-006 - total acreage is 1.30 with the approved use being to place in a short-term rental program in the present zoning of R-1 Residential Single-Family District. Commissioner Holcomb voted in favor of the motion. Commissioner Bryant and Commissioner Nix opposed the motion. The motion to approve the application passed by a 3-2 vote.

Mr. Derick Canupp, Public Works Director, stated that the Georgia Department of Transportation (GDOT) had been working on the Town Creek Road Bridge Replacement Project for a considerable amount of time and Mr. Justin Lott, Design Engineer with GDOT, has a status update on the project and information on a temporary detour that will be necessary. Mr. Lott said there had been design challenges with this bridge project and they had been made aware that the county preferred to not have a detour, however designing the replacement bridge in a manner not to require a detour would increase the cost of the project $400,000 to $500,000 and would increase the construction by four (4) months. He informed the Board that the project cost had already increased from $5.5 million to $8.0 million. He stated that the detour would be for approximately 45 days and would utilize Adair Mill Road – with public hearings on the detour being required prior to the beginning of the detour. The detour would be during the summer months in order to avoid issues with school traffic and he anticipated the construction during Summer 2025.

Upon a motion made by Commissioner Nix, seconded by Commissioner Goodger there was a unanimous vote to approve the 45-day temporary detour for the Town Creek Road Bridge Replacement Project as presented.

Mr. Canupp presented the bids received for the 2023 Local Maintenance & Improvement Grant (LMIG) Project for which the scope had been narrowed after bids had been received based on available funding. The low bid was presented for the full scope of the project at $2,174,175.00 from CW Matthews Contracting Company. A change order was implemented based on the county’s available funding, which narrowed the scope of the project and resulted in contract value of $1,221,808.00 that included resurfacing of Campground Road, patching of Adair Mill Road, and patching & overlay of Satterfield Road and Arthur Seabolt Road (improvements to Albert Reid Road and Skitts Mountain Road were removed in the change order). Mr. Canupp summarized that the funding breakdown for the project would be $454,373.44 from the LMIG and $767,434.56 from SPLOST.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Nix there was a unanimous vote to award the 2023 Local Maintenance & Improvement Grant (LMIG) Project to CW Matthews Contracting Company in the amount of $1,221,808.00 (per contract Change Order No. 1) for resurfacing of Campground Road, patching of Adair Mill Road, and patching & overlay of Satterfield Road and Arthur Seabolt Road with funding for the project being $454,373.44 from the LMIG and $767,434.56 from SPLOST.

Ms. Barbara Overton, Director of Senior Services, presented the Fiscal Year 2024 Legacy Link Program Contract for nutrition services at the White County Senior Center. She said that funding from this contract will provide for 12,000 congregate meals, 35,000 home delivered meals, transportation, wellness, and respite program. The Legacy Link contract provides for $195,832.00 in funding with the county providing $210,992.00 in matching funds (up from $180,619.00 from FY 23 – related to the increase in meal costs).

Upon a motion made by Commissioner Bryant, seconded by Commissioner Holcomb there was a unanimous vote to approve the Fiscal Year 2024 Legacy Link Program Contract for nutrition services at the White County Senior Center.

Mr. Pittard stated that he was presenting the following request on behalf of David Murphy, Public Safety Director. He advised that Habersham Electric Membership Cooperation (HEMC) had requested an easement at Fire Station #7 located on Hwy 356 north of Unicoi State Park for the purpose of installing a spatial planar optical circuit (SPOC) for the fiber build out in the area. He said this would potentially provide internet service for 700+, the easement area would be an 8’x 8’ area, and in exchange HEMC would provide the fiber internet service to the fire station.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Goodger there was a unanimous vote to approve the easement at Fire Station #7 located on Hwy 356 north of Unicoi State Park for the purpose of installing a spatial planar optical circuit (SPOC) for the fiber build out in the area to Habersham Electric Membership Cooperation (HEMC).

Ms. Kimberly McEntire, Parks & Recreation Director, presented a request to move forward with the bidding process for shade structures in the Yonah Preserve ballfield bleacher areas, shade structure in the playground seating area, picnic tables & park benches, and concrete pads for the batting cages. She stated that these are the items that she gets the most feedback on from parents, grandparents, and tournament participants. Mr. Nathan Eason, County Extension Agent, also spoke about his work on a landscape improvement plan at Yonah Preserve and his work with NOK on an upcoming tree planting project. The deteriorating quality of the fields and grass areas around the fields was discussed. Mr. Eason stated this would directly relate to the heavy usage and drainage design issues on the fields, however he was continuing to work with staff on improving the soils to promote grass growth.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Bryant there was a unanimous vote to approve initiating the bidding process for shade structures in the Yonah Preserve ballfield bleacher areas, shade structure in the playground seating area, picnic tables & park benches, and concrete pads for the batting cages.

Mr. Jody Davis, Elections Supervisor explained the state’s requirement to have one (1) voting machine for every 250 registered voters per precinct, therefore White County would need to purchase seven (7) additional machines and related equipment at a cost of $36,188.64. He did state that there is no room at the precincts to set up additional machines, however the State Elections Board has advised that in this case the machines do not have to be set up but must be present. There was discussion regarding the historical data of the number of actual voters and the increased participation in advanced voting. Chairman Turner highlighted the increased amount of funding the county has directed toward elections in the past few years, which demonstrates that the county is committed to supporting elections.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Nix, there was a unanimous vote to deny the request for purchase of seven (7) additional machines and related equipment at the cost of $36,188.64.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Nix there was a unanimous vote to appoint Kimberly McEntire to the White County Family Connection Board of Directors as a representative of the County.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Goodger there was a unanimous vote to appoint Commissioner Nix as White County’s voting delegate to the Association County Commissioners of Georgia (ACCG) Legislative Leadership Conference Business Session on October 12, 2023 in Jekyll Island.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Goodger there was a unanimous vote to adjourn the meeting.

The minutes of the July 31, 2023 Public Hearing, Work Session & Called Meeting were approved as stated this 28th day of August, 2023.

**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