



LUMPKIN COUNTY
Board of Commissioners
Regular Meeting Agenda
Commissioners Boardroom
99 Courthouse Hill
Dahlonega, GA 30533

January 17, 2023
6:00 PM

- **CALL TO ORDER**
- **INVOCATION**
- **CONSIDERATION OF AGENDA**
- **PUBLIC COMMENTS (Agenda Specific)**
- **PROCLAMATIONS**
 1. UNG's Sesquicentennial Celebration Proclamation - *Ratify*
- **CONSIDERATION OF MINUTES**
 2. Board of Commissioners - Work Session - December 6, 2022 4:00 p.m.
 3. Board of Commissioners - Special Called Meeting - December 15, 2022 9:00 a.m.
 4. Board of Commissioners - Public Hearing - December 20, 2022 5:00 p.m.
 5. Board of Commissioners - Public Hearing - December 20, 2022 5:15 p.m.
 6. Board of Commissioners - Work Session II - December 20, 2022 5:30 p.m.
 7. Board of Commissioners - Regular Meeting - December 20, 2022 6:00 p.m.
- **RESOLUTIONS**
 8. 2023-01 Update the Lumpkin County Fee Schedule (*Finance Director Abby Branan*)
 9. 2023-02 Appoint Member to the Lumpkin County Library Board of Trustees - Barbara Poole to Seat 1, of an unexpired term ending 06/30/2026.
 10. 2023-03 Appoint/Reappoint Members to Lumpkin County Public Building Authority - *Leland Cox to Seat 2, with a term expiring 02/21/2025, Greg Trammell to Seat 4, of an unexpired term ending 02/21/2024, and Jim Curtis to Seat 5, with a term expiring 02/21/2026*
- **REPORTS**
- **CONTRACTS/AGREEMENTS**
 11. 2023-001 Mauldin & Jenkins - 2022 Audit Engagement Letter (*Finance Director Abby Branan*)
 12. 2023-002 Peachtree Recovery Services, Inc. - Insurance on Damaged Fixed County Property (*Finance Director Abby Branan*)
 13. 2023-003 Professional Probation Services, Inc. – Misdemeanor Probation Services – Superior Court

14. 2023-004 Ambulance Billing Services - Professional Practice Support, Inc. (PPS) *(Finance Director Abby Branan)*
15. 2023-005 Duplicating Products Copier Upgrade Contract *(Finance Director Abby Branan)*
16. 2023-006 Commercial & Industrial Property Revaluation *(Finance Director Abby Branan)*

- **OTHER ITEMS**

17. Election of Vice Chairman
18. Request to Create Aquatics/Multipurpose Center Manager Position *(Community & Employee Services Director Alicia Davis)*
19. 2019 TSPLOST 2023 Work Plan *(Finance Director Abby Branan)*
20. 2014 SPLOST 2023 Work Plan *(Finance Director Abby Branan)*
21. 2020 SPLOST 2023 Work Plan *(Finance Director Abby Branan)*
22. Color Selection on the New Recreation Center Metal Building

- **COUNTY MANAGER**

- **COUNTY ATTORNEY**

- **COMMISSIONERS**

- **PUBLIC COMMENTS**

- **ADJOURNMENT**

LUMPKIN COUNTY
Board of Commissioners
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99 Courthouse Hill
Dahlonega, GA 30533



January 17, 2023
6:00 PM

CALL TO ORDER

Chairman Dockery called the meeting to order at 6:03 pm. Present were Chairman Chris Dockery, Commissioner Bobby Mayfield, Commissioner Rhett Stringer, and Commissioner Jeff Moran. Commissioner Tucker Greene was absent.

INVOCATION

Chairman Dockery gave the invocation, which was followed by the Pledge of Allegiance.

CONSIDERATION OF AGENDA

***Motion:** A motion was made by District 2 Commissioner Mayfield to approve the agenda. The motion was seconded by District 3 Commissioner Stringer. The motion was approved and carried.*

PUBLIC COMMENTS (Agenda Specific)

There were no comments from the public.

PROCLAMATIONS

1. UNG's Sesquicentennial Celebration Proclamation - Ratify

***Motion:** A motion was made by District 3 Commissioner Stringer to approve the proclamation. The motion was seconded by District 4 Commissioner Moran. The motion was approved and carried.*

CONSIDERATION OF MINUTES

2. Board of Commissioners - Work Session - December 6, 2022 4:00 p.m.
3. Board of Commissioners - Special Called Meeting - December 15, 2022 9:00 a.m.
4. Board of Commissioners - Public Hearing - December 20, 2022 5:00 p.m.
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7. Board of Commissioners - Regular Meeting - December 20, 2022 6:00 p.m.

***Motion:** A motion was made by District 4 Commissioner Moran to approve the minutes by acclamation. The motion was seconded by District 3 Commissioner Stringer. The motion was approved and carried.*

***Motion:** A motion was made by District 4 Commissioner Moran to amend his motion to approve items 2 through 6 by acclamation, and to approve item 7 with the correction to show that Commissioner Stringer recused himself from both canoe launch sublease renewal contract items. The motion was seconded by District 3 Commissioner Stringer. The motion was approved and carried.*

RESOLUTIONS

8. 2023-01 Update the Lumpkin County Fee Schedule (Finance Director Abby Branan)
Consideration of updating the Lumpkin County Fee Schedule

***Motion:** A motion was made by District 2 Commissioner Mayfield to approve the resolution. The motion was seconded by District 4 Commissioner Moran. The motion was approved and carried.*

9. 2023-02 Appoint Member to the Lumpkin County Library Board of Trustees – Barbara Poole to Seat 1, of an unexpired term ending 06/30/2026.

Motion: A motion was made by Chairman Dockery to appoint Barbara Poole to Seat 1, with an unexpired term ending 6/30/2026. The motion was seconded by District 4 Commissioner Moran. The motion was approved and carried.

10. 2023-03 Appoint/Reappoint Members to Lumpkin County Public Building Authority - Leland Cox to Seat 2, with a term expiring 02/21/2025, Greg Trammell to Seat 4, of an unexpired term ending 02/21/2024, and Jim Curtis to Seat 5, with a term expiring 02/21/2026

Motion: A motion was made by Chairman Dockery to appoint Leland Cox to Seat 2 with a term expiring 2/21/2025. The motion was seconded by District 3 Commissioner Stringer. The motion was approved and carried.

Motion: A motion was made by Chairman Dockery to appoint Greg Trammell to Seat 4, with an unexpired term ending 2/21/2024. The motion was seconded by District 2 Commissioner Mayfield. The motion was approved and carried.

Motion: A motion was made by Chairman Dockery to appoint Jim Curtis to Seat 5 with a term expiring 2/21/2026. The motion was seconded by District 4 Commissioner Moran. The motion was approved and carried.

REPORTS

County Department reports can be viewed at www.lumpkincounty.gov.

CONTRACTS/AGREEMENTS

11. 2023-001 Mauldin & Jenkins - 2022 Audit Engagement Letter (Finance Director Abby Branan)

2022 Audit engagement letter that identifies the applicable financial reporting framework, single audit standards, and the expected form and content of auditor's report.

Motion: A motion was made by District 3 Commissioner Stringer to approve the contract. The motion was seconded by District 4 Commissioner Moran. The motion was approved and carried.

12. 2023-002 Peachtree Recovery Services, Inc. - Insurance on Damaged Fixed County Property (Finance Director Abby Branan)

Consideration of a Contract for insurance subrogation and recovery for traffic accidents that damage fixed county property.

Motion: A motion was made by District 3 Commissioner Stringer to approve the contract. The motion was seconded by District 4 Commissioner Moran. The motion was approved and carried.

13. 2023-003 Professional Probation Services, Inc. – Misdemeanor Probation Services – Superior Court

This is a renewal of the contract with PPS for the misdemeanor probation service with the Supreme Court. The Judicial Assistant confirmed they would like to continue service with PPS. Judge Parks signed the contract on December 16, 2022.

Motion: A motion was made by District 2 Commissioner Mayfield to approve the contract. The motion was seconded by District 4 Commissioner Moran. The motion was approved and carried.

14. 2023-004 Ambulance Billing Services - Professional Practice Support, Inc. (PPS) (Finance Director Abby Branan)

Consideration of the contract renewal for ambulance billing

Motion: A motion was made by District 4 Commissioner Moran to approve the contract. The motion was seconded by District 3 Commissioner Stringer. The motion was approved and carried.

15. 2023-005 Duplicating Products Copier Upgrade Contract (Finance Director Abby Branan)

Consideration of a Contract for upgrading copiers for Sheriff Jail Booking, Clerk of Courts Deed Room, Public Works, Probate Court (2), and Animal Control.

Motion: A motion was made by District 3 Commissioner Stringer to approve the contract. The motion was seconded by District 4 Commissioner Moran. The motion was approved and carried.

16. 2023-006 Commercial & Industrial Property Revaluation (Finance Director Abby Branan)

Consideration of a contract with McCormick Solutions, A division of LMC, Inc. to provide commercial and industrial (C&I) property revaluation services

Motion: A motion was made by District 3 Commissioner Stringer to approve the contract. The motion was seconded by District 2 Commissioner Mayfield. The motion was approved and carried.

OTHER ITEMS

17. Election of Vice Chairman

This is to elect a Vice Chairman to serve in the absence of the Chairman.

Motion: A motion was made by Chairman Dockery to appoint Commissioner Stringer as Vice Chairman. The motion was seconded by District 2 Commissioner Mayfield. The motion was approved and carried.

18. Request to Create Aquatics/Multipurpose Center Manager Position (Community & Employee Services Director Alicia Davis)

This is a request to create a position for the new aquatics/multipurpose center.

Motion: A motion was made by District 2 Commissioner Mayfield to approve the position. The motion was seconded by District 4 Commissioner Moran. The motion was approved and carried.

19. 2019 TSPLOST 2023 Work Plan (Finance Director Abby Branan)

Request to approve work plan on the 2019 TSPLOST.

Motion: A motion was made by District 4 Commissioner Moran to approve the work plan. The motion was seconded by District 3 Commissioner Stringer. The motion was approved and carried.

20. 2014 SPLOST 2023 Work Plan (Finance Director Abby Branan)

This includes the approval of \$39,684.26 from the 2014 SPLOST to be expended on Water Authority projects, in addition to the projects listed on the Work Plan.

Motion: A motion was made by District 3 Commissioner Stringer to approve the work plan. The motion was seconded by District 4 Commissioner Moran. The motion was approved and carried.

21. 2020 SPLOST 2023 Work Plan (Finance Director Abby Branan)

Request to approve work plan on 2020 SPLOST.

Motion: A motion was made by District 3 Commissioner Stringer to table this item until the February work session and meeting. The motion was seconded by District 2 Commissioner Mayfield. The motion was approved and carried.

22. Color Selection on the New Recreation Center Metal Building

Color choice for the metal building wall panels, trim, gutters and downspouts for the new Recreation Center.

Motion: A motion was made by District 4 Commissioner Moran to approve the recommendation from the Building Committee. The motion was seconded by District 3 Commissioner Stringer. The motion was approved and carried.

COUNTY MANAGER

COUNTY ATTORNEY

COMMISSIONERS

PUBLIC COMMENTS

Rick Moreland, resident of 118 River View Trail East and President of the Copper Ridge Subdivision HOA, came to speak concerning a potential short-term vacation rental in their neighborhood. He said a holding company from Savannah recently purchased a home in their subdivision. During the process, they have been trying to hide their identity and have been unwilling to engage in contact, Mr. Moreland stated. He sent all of the HOA documents to the realtor and informed him that Copper Ridge does not permit commercial activities, and the bylaws indicate mandatory participation in the HOA. Mr. Moreland said the realtor was unwilling to provide contact information for the buyer and would not sign that he had received the letter from the HOA.

Mr. Moreland said they were finally able to identify the buyer as the company from Savannah, and they learned that they had applied for a short-term vacation rental host license. He sent the HOA documents to Commissioner Stringer, and the Planning Department said they only go by the information provided by the applicant on the short-term rental host application. Mr. Moreland said he tried to urge the Planning Department not to issue the license, but they said it was a civil matter. HOAs operate on a slim budget, he noted, and they did not have much money to pay for legal matters. Mr. Moreland said he is stunned if the Planning Department will still issue a license even if the applicant has knowingly lied.

John Stewart said he lives at 87 Dogwood Court, which is right next to the property in question at 130 Dogwood Court. He said he and his wife came to Dahlongega four years ago for retirement, and they chose Copper Ridge because it was a covenant-restricted community. Now suddenly out of nowhere, the County is considering granting a short-term rental host license to the adjacent property. These buyers, their attorney, and their real estate broker all claimed to have no knowledge even though we sent them all of the HOA documents. Mr. Stewart said these restrictions have been in place since the 80s. It seems like the licensing and permitting process in the County is backwards, and things are not enforced. Mr. Stewart said the County should hold a meeting between a buyer and the HOA representative when situations like this occur. He urged the BOC to see that this license is not granted and to have a more transparent process in the Planning Department.

Chairman Dockery commented that subdivision setbacks from covenants are recognized by the County. If we recognize part of the covenant as a county, he isn't sure why we wouldn't recognize all of it. Commissioner Moran said part of the issue may be because our ordinance regards short-term rentals as a residential use rather than commercial, as a covenant probably considers them. He said we may consider changing that? Chairman Dockery said perhaps if we recognize certain aspects of covenants, there might be an opportunity for HOAs to file those with the County. If someone submits for a short-term rental application, what is the different in looking at the covenant setbacks versus not allowing a short-term vacation rental license? He said it is a civil matter, but knowingly issuing a license for a community where the covenants prohibit that activity just does not make sense. It is something to look at as a board, he commented, but it still is essentially a civil issue.

Commissioner Moran said if he recalls correctly, the solution was to tell HOAs that they would need to explicitly ban short-term rentals in their covenants, or the County will have to change our ordinance so that short-term rentals are regarded as a commercial use instead of residential. Commissioner Mayfield said there are also different flavors of short-term rentals. It's one thing for a homeowner to rent out their home for a couple of weekends per year, but it is another matter for a company to purchase a home with the express purpose of running it as a short-term vacation rental.

Dolores Moore, 122 River Ridge East, said we are apparently stuck on the verbiage of residential versus commercial. Her understanding is that a short-term vacation rental is a revenue-generating entity. They obtain a business license and they pay taxes. This vacation rental will be a weekly turnaround.

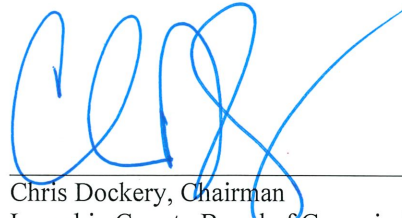
Chairman Dockery said the BOC may want to look further into the issue since we do enforce covenant setbacks. This issue is not unique to Lumpkin County; all of Georgia has been experiencing challenges with short-term rentals. He said the same people that want to run short-term rentals are lobbying our state officials, and it is an issue that comes up during every legislative session. These lobbyists attempt to preempt local government authority on this issue and put it into the hands of the State. The association that represents Georgia's counties, ACCG, fights every year to protect home rule. Chairman Dockery said for this reason, it is a delicate issue dealing with short-term rentals. If a local government outright bans short-term rentals, then someone will go to the State lawmakers and ask them to preempt it and take over. The Chairman said we cannot promise anything, but we will take a look at the issue. He asked Mr. Moreland to give his contact information to the County Manager.

ADJOURNMENT

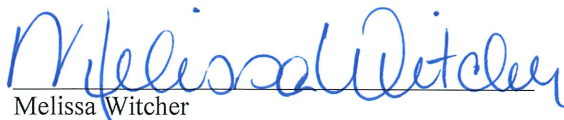
Motion: A motion was made by District 2 Commissioner Mayfield to adjourn the meeting. The motion was seconded by District 4 Commissioner Moran. The motion was approved and carried.

The meeting ended at 6:39 PM.

February 21, 2023
Date


Chris Dockery, Chairman
Lumpkin County Board of Commissioners

Attest:


Melissa Witcher
Clerk, Lumpkin County