

**GOVERNMENT OPERATIONS COMMITTEE  
MEETING MINUTES**

Thursday, January 23, 2020

Committee Members Present:

Commissioner Andy Herod, Committee Chair  
Commissioner Patrick Davenport  
Commissioner Melissa Link  
Commissioner Jerry NeSmith

Committee Members Absent:

Commissioner Tim Denson

Visiting Mayor/Commissioners:

Staff:

Josh Edwards, Assistant Manager  
Sherrie Hines, Assistant County Attorney  
Michael Petty, Assistant County Attorney  
Angel Helmly, Operations Analyst, Central Serv.

Brad Griffin, Planning Director  
Doug Hansford, Building Inspections Director  
Cynthia Lambright, Recorder

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Committee Chair Herod called the meeting to order at 5:30 p.m.

**A. Approval of Minutes:**

Commissioner NeSmith made the motion to approve the Minutes of the November 21, 2019 meeting. Commissioner Link seconded the motion and it passed by unanimous vote.

**B. Commission Identified Items of Interest:**

**Develop a consistent leasing policy for ACC properties, considering local community benefit provided by the tenant (Mayor Girtz assigned to GOC on June 4, 2019)**

Assistant Manager Josh Edwards reviewed changes on the Lease Valuation Working Sheet. The GOC had requested changes to include a measure to reflect community benefit, remove the CDBG funding factor and include a discount for properties located in distressed area census tracts. Josh and Angel Helmly reviewed each of the factors with the Committee.

Commissioner Link asked about the income derived from the building factor. The amount of income should factor in when calculating the rent. Commissioner Herod said a percentage of the net income would be a fairer way. Commissioner Herod said that there should be a mechanism in place to phase in the rent increases.

Commissioner Link wants to see a mission statement from each agency. Angel said that this information could be provided when agencies sign a Community Benefits Agreement. Josh stated that staff needs direction as to what is considered a community benefit. Commissioner Herod suggested looking at things that reflect the goals of the Mayor and Commission particularly in the areas of economic development and social and human development. Commissioner Link said that the number of individuals served and cultural impacts or benefits should also be considered.

Josh asked the Committee to discuss the timing of implementing the new policy. Angel provided a list of renewal dates for each agency. Commissioner Herod suggested that there be a

standard date for signing all leases. He asked Josh to contact the Finance Department to discuss whether the renewal date should be at the beginning of the calendar year or fiscal year. The Committee would like to start transitioning those that are coming up for renewal to a uniform date. Staff could also offer a new lease if it benefits the agency.

The Committee requested that staff provide a draft policy and a draft Community Benefits Agreement for discussion at the next GOC meeting.

**Review of short term rentals: tax payments same as hotels; possible permitting process; health and safety related issues (Mayor Girtz assigned to GOC on November 5, 2019)**

Commissioner NeSmith shared with the Committee the process for registering a short term rental – Obtain an Occupation tax form and then go to the Department of Revenue to get a tax ID number and register as hotel/motel. He said that this is all voluntary at this point and it is impossible to manually track short term rentals. He said that there are companies that offer services for tracking down short term rentals and these companies will give software demonstrations.

Sherrie Hines provided a handout entitled “Considerations for Regulating Short Term Vacation Rentals in Athens-Clarke County.” She stated that there are two issues, one is the tax and the other is the regulations that may be imposed on these properties. The tax is already in the Athens-Clarke County Ordinance but the problem is enforcement. There are a lot of cities and states that are addressing short term rentals. Savannah has owner occupied rentals, whole house rentals, partial rentals, and Bed & Breakfasts. Savannah limits the number of short term rentals in each ward. Asheville has an ordinance that bans whole house rentals. There is state law that prohibits local governments from requiring the registration of residential rental property. Getting a tax certificate is a very different thing. She stated that our current ordinance defines a hotel among other things “... or as any other place where rooms, lodgings, or accommodations are regularly furnished for value.” She does not think we need a new ordinance but rather identify who is in violation and move against them.

After a period of discussion regarding grandfathering properties for non-conforming use if an ordinance is created, the Committee decided to focus first on identifying properties and requiring the payment of taxes and fees, including hotel/motel taxes and state and local sales taxes.

The committee requested that staff schedule a demonstration of the software for the next GOC meeting.

**Home Occupations Ordinance review, including consideration of noise-creation, material and vehicle storage, and allowances for in-home child care at the (greater) population level permitted by the state (Mayor Girtz assigned to GOC on December 3, 2019)**

Brad Griffin provided a copy of Athens-Clarke County Code Sec. 9-15-16 Home Occupations. Commissioner Herod shared examples of businesses that were operating in single family neighborhoods and the impact they had on the quality of life for the residents. Michael Petty said he was familiar with the examples and that the challenge was proving in court that there was an actual occupation going on. Brad explained that the Home Occupation Ordinance prohibits these types of activities but the enforcement is difficult.

Commissioner Link asked if problems could be addressed through the noise ordinance. She said we should be able to address the nuisance instead of home occupations. Commissioner

Herod said he would be interested in exploring the nuisance abatement approach to dealing with some of these things.

The Committee was in agreement with changing the in-home child care level from 4 to 6 to equal state law.

The Committee requested that a police officer and Doug Hansford attend the next meeting to discuss enforcement challenges and the strategies they use.

The meeting adjourned at 7:05 p.m.