

MINUTES FOR THE SPECIAL CALLED MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, APRIL 21, 2014, AT 6:00 P.M. IN THE ADMINISTRATIVE BUILDING #2, 214 W. KING STREET

SPECIAL CALLED WORK SESSION

1. The work session was called to order by the Chairman.
2. Commissioner Morehouse suggested Whitfield County implement a County wide Occupational Tax/Business License ordinance to identify business in Whitfield County and make sure they are in compliance with Whitfield County Zoning Ordinances.
3. County Administrator Mark Gibson noted that Catoosa, Bartow and Gordon Counties participate in issuing Occupational Tax for businesses.
4. Commissioner Robby Staten asked Mr. Gibson how the Annex staff would handle a Business Occupational Tax system and if additional staff would be needed.
5. County Administrator Mark Gibson said that it would be taxing on staff and could take away from services provided by the Finance or Clerks Office, without knowing the exact number of business in Whitfield County it is too early to say if additional staff would be necessary
6. Chairman Babb asked if this could be handled between the City of Dalton and Whitfield County
7. County Administrator Mark Gibson noted that the City of Dalton has offered to handle the Occupational Tax system for Whitfield County for a fee.
8. Commissioner Brooker asked if municipalities within Whitfield County would need to obtain an Occupational Tax.
9. County Attorney Robert Smalley replied that it would only be the unincorporated areas of Whitfield County that would need to obtain an Occupational Tax/Business License.
10. Commissioner Morehouse noted that it would be best facilitated if it was done consistently throughout Whitfield County including municipalities and sees no need to set up another structure or to maintain a different ordinances, and should have standard licenses.
11. Commissioner Laughter asked Commissioner Morehouse if the reason he brought this topic to the board was to have consistency and to know what business are out in the County and to ensure they are in compliance with County Zoning Ordinances.
12. Commissioner Morehouse responded that is the main reason along with businesses being compliant with sales tax registration which is a main resources for the County and is everyone was in compliance there would be less problems in regards to sales tax revenues.
13. Commissioner Laughter asked if an Occupational Tax Ordinance could be attached to an Ordinance about how a property looks in terms of tires and trash piled up or if it would be completely separate.
14. County Attorney Robert Smalley replied that it would be a separate ordinance and the ordinance she is referring to is standards ordinance that are found in Code enforcement ordinances, but it could added as a provision to issuance of an Occupational Tax.
15. Chairman Babb asked Planning and Zoning Director Jean Garland if she believes that an Occupational Tax system would be a benefit for the County, Mrs. Garland stated that it would be, several business have invested on time and money on opening a business in the County only to be told they are not compliant with the Zoning Ordinances.
16. Commissioner Staten asked Mr. Gibson how the County would implement the Occupational Tax system for the first time.
17. County Administrator Mark Gibson said they could advertise that the Ordinance would take effect on a specific date with a grace period to register, County Attorney Robert Smalley said typically ordinances where licenses are renewable each year in beginning in January, the board could ask that businesses register before January 1, 2015, if they decide to implement such an ordinance.
18. The Work Session was adjourned.

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SPECIAL CALLED MEETING

The Chairman called the meeting to order.
Pledge of allegiance to the Flag
Roll call to determine quorum

The following members were present:

Mike Babb, Chairman
Harold Brooker, Vice Chairman
Lynn Laughter, Member
Robby Staten, Member
Gordon Morehouse, Member

Others Present:

Mark Gibson, County Administrator
Citizens
Robert Smalley, County Attorney
Department Heads
Press

Motion was made by Commissioner Morehouse and seconded by Commissioner Brooker to approve the agenda as presented. The motion was approved 4-0, with Commissioners Morehouse, Brooker, Staten and Laughter in agreement. Approval of the agenda was unanimous.

Mr. Jason Azbill was named the Whitfield County Employee of the Month for February 2014. Mr. Azbill works in the Fire Department.

CITIZEN COMMENT

Ms. Kay Motto came before the Board to voice her concern about the increase of litter on County roadways and private property. Ms. Motto referred to County Ordinances about livestock on private property and mobile home parks having chicken coops in their yards. Ms. Motto asked what is being done to enforce this litter problem and the livestock issue. Chairman Babb let Ms. Motto know that the County has one Code Enforcement officer who deals with complaints for the whole County, Public Works does have community service workers that go out on Saturdays to pick up litter on the sides of the roads. Chairman Babb also noted that while the Sheriff's Office can enforce and issue tickets to persons who litter, they are also understaffed and litter may not necessarily be a top priority. Mrs. Motto also noted that hasn't seen any "no litter" signs around. Jim Price from the Dalton-Whitfield Solid Waste Authority came forward to inform Ms. Motto that he also works on a complaint basis to try to combat litter on the roadways. Norman Barashick Director of the Dalton-Whitfield Solid Waste Authority came forward to inform Ms. Motto that there are many efforts in Whitfield County regarding litter, GDOT also cleans up litter of the roadways, and he stated that community awareness is the key. Mitch Talley with Whitfield County is working on an article for the local newspaper about the litter issue, Keep Dalton-Whitfield Beautiful also raises awareness in the County. Ms. Motto asked if the Board had any suggestions on how she could raise awareness, Chairman Babb told her to get in contact with Liz Swafford with Keep Dalton-Whitfield Beautiful. Commissioner Brooker let Ms. Motto know that Whitfield County will put more "no litter" signs up thought out the County. Ms. Motto also voiced concern about yard sales and how often are people allowed to have yard sales, Mrs. Jean Garland told Ms. Motto that citizens could have one once every three months for 72 consecutive hours, the Building Inspectors office can assist her if she is having an issue with residents having continuous yard sales. Chairman Babb thanked Ms. Motto for bringing her issues before the Board.

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APPROVAL OF MINUTES: Motion was made by Commissioner Laughter and seconded by Commissioner Morehouse to approve the Regular Business Meeting Minutes of March 10, 2014. The motion was approved 4-0, with Commissioners Staten, Brooker, Laughter and Morehouse in agreement.

PROCLAMATIONS

1. **National Donate Life Month:** Motion was made by Commissioner Morehouse and seconded by Commissioner Staten to proclaim April, 2014 as National Donate Life Month in Whitfield County, Georgia. The motion was approved 4-0, with Commissioners Brooker, Staten, Laughter and Morehouse in agreement. **(SEE EXHIBIT "A")**.
2. **Autism Awareness Month:** Motion was made by Commissioner Laughter and seconded by Commissioner Morehouse to proclaim April, 2014 as Autism Awareness Month in Whitfield County, Georgia. The motion was approved 4-0, with Commissioners Brooker, Staten, Laughter and Morehouse in agreement. **(SEE EXHIBIT "B")**

FOR CONSIDERATION

1. **February 2014 Financial Statements:** Motion was made by Commissioner Brooker and seconded by Commissioner Staten to approve the February 2014 Financial Statement as presented by Finance Director, Alicia Vaughn. In discussion, Mrs. Vaughn reported that Local Option Sales Tax for February 2014 is \$875,241; Local Option Sales Tax collections for February 2014 show an increase of 5% from January 2014; Local Option Sales Tax collections for February 2014 show a 12% decrease from February 2013. Year to date Local Option Sales Tax collections for 2014 are down 2% compared to year to date collections for the same period of 2013. Year to date actual revenues of \$4,316,283 for February 2014 are slightly under year to date projected revenues of \$4,466,875 by less than 3%. Year to date actual expenditures of \$6,057,531 for February 2014 are less that year to date projected of \$6,446,493 by 6%. TAVT Collections for February 2014 were \$154,439. The motion was approved 4-0, with Commissioners Brooker, Laughter, Morehouse, and Staten in agreement. **(SEE EXHIBIT "C")**
2. **2013 Budget Amendment #6:** Motion was made by Commissioner Morehouse and seconded by Commissioner Brooker to approve the budget amendment #6 as presented by Finance Director Alicia Vaughn. This budget amendment will adjust the budget to estimated final actuals for 2013 fiscal year, effect of budget amendment #6 to General Fund; Decrease budgeted expenditures by \$58,606, and to adjust budget to estimated final actuals for the Special Revenue Funds. The motion was approved 4-0, with Commissioners Staten, Morehouse, Laughter, and Brooker in agreement. **(SEE EXHIBIT "D")**
3. **Rezoning Recommendations**
 - a) Motion was made by Commissioner Laughter and seconded by Commissioner Morehouse to approve the rezoning request by Steven B. Ellis to rezone approximately 1.08 acres from General Agriculture (GA) to Single Family Residential (R-2) subject parcel is 12-016-07-000. The Planning Commission had recommended that the Board approve the rezoning of this parcel. The motion to approve the rezoning was approved 4-0, with Commissioners Staten, Brooker, Morehouse and Laughter in agreement.

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- b) Motion was made by Commissioner Morehouse and seconded by Commissioner Laughter to approve the rezoning request by Mike Lewis to rezone 1.842 acres from Single Family Residential (R-2) to General Commercial (C-2) subject parcel is 12-126-27-000. The Planning Commissioner had recommended that the Board approve the rezoning of this parcel. The motion to approve the rezoning was approved 4-0, with Commissioners Brooker, Staten, Morehouse and Laughter in agreement.

- c) Motion was made by Commissioner Brooker and seconded by Commissioner Staten to approve a special use permit for Emmaus Baptist Church to site a Church on a 5.13 Acre Tract Zoned Rural Residential (R-3), with three recommended conditions from the Planning Commission; any freestanding signage should be a low profile ground sign with landscaping that is externally lighted rather than internally lighted, the existing vegetative cover near the north property line, say for twenty (20) feet might be left intact to screen the church property from the metal building lying to the north, and parking should be discouraged in the front of the property. The Property is along the West R/W of the South Dixie Highway, 1,490 Feet South of the Tilton Road/South Dixie Highway Intersection. The Planning Commission had recommended that the Board approve the special use permit with the recommended conditions at this location, they also noted that the church must acknowledge that there may be noise coming from an adjacent industrial tract. The motion to approve the special use permit with recommended conditions was approved 3-0, with Commissioners Brooker, Staten, and Laughter in agreement. Commissioner Morehouse abstained from voting.

4. Sheriff's Office – Air Conditioning Unit for First Floor Admin Building at the Jail: Motion was made by Commissioner Brooker and seconded by Commissioner Morehouse to approve the purchase of a new air conditioning unit for the first floor admin building at the Jail in the amount of \$33,719. The cost of a new machine is \$27, 074, to have the new one installed and the old one removed is \$6,645, and the total amount would be \$33,719. The Sheriff's Office recommended this as an emergency purchase with single source provider Trane of Chattanooga all of the Sheriff's 49 rooftop air condition units are Trane. This unit cools and heats the entire floor. The motion was approved 3-1 with Commissioners Laughter, Brooker and Morehouse in agreement. Commissioner Staten was in dissention.

PUBLIC COMMENT: There was no public comment.

ADJOURN: Unanimous

MIKE BABB, CHAIRMAN
WHITFIELD COUNTY BOARD OF COMMISSIONERS

BLANCA CARDONA, COUNTY CLERK

DATE: / /