

MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, AUGUST 11, 2014, AT 6:00 P.M. IN THE ADMINISTRATIVE BUILDING #2, 214 W. KING STREET

REGULAR BUSINESS 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 (Absent)
Robby Staten, Member
Gordon Morehouse, Member

Others Present:

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

Motion was made by Commissioner Morehouse and seconded by Commissioner Brooker to amend the agenda. The motion was approved 3-0.

1 item was added from the potential additional items; (1. Acceptance of Property – Hanlon Cox/ Georgia Battlefields Association, Inc.)

Motion was then made by Commissioner Morehouse and seconded by Commissioner Brooker to approve the amended agenda. The motion was approved 3-0, with Commissioners Brooker, Morehouse, and Staten in agreement. Approval of the agenda was unanimous.

Mr. Jarrod Hayes was named the Whitfield County Employee of the Month for June 2014. Mr. Hayes works in the Sheriff's Office.

PUBLIC HEARING

Commissioner Babb called for a Public Hearing to hear any comments or concerns the public may have regarding an application for an Alcohol Beverage License for Walnut Hill Estates located at 800 Lee Bryant Road. No comments or concerns were expressed in the Public Hearing so Commissioner Babb closed the hearing.

APPROVAL OF MINUTES: Motion was made by Commissioner Brooker and seconded by Commissioner Staten to approve the Regular Business Meeting Minutes of July 14, 2014. The motion was approved 3-0, with Commissioners Brooker, Staten and Morehouse in agreement. Chairman Babb noted that the minutes reflect that the Business License Ordinance was to be voted on during this meeting, however Commissioner Laughter is out of town for business so the vote is postponed. Chairman Babb went on to say that a decision of this importance needs all of the Commissioners present.

FOR CONSIDERATION

1. **Malt Beverage/Wine/Liquor License – Walnut Hill Estates:** Motion was made by Commissioner Brooker and seconded by Commissioner Morehouse to approve the Malt Beverage/Wine/Liquor License for Walnut Hill Estates located at 800 Lee Bryant Road. The motion was approved 3-0, with Commissioners Brooker, Morehouse, and Staten in agreement.
2. **June 2014 Financial Statements:** Motion was made by Commissioner Staten and seconded by Commissioner Morehouse to approve the June 2014 Financial Statements as presented by Finance Director, Alicia Vaughn. In discussion, Mrs. Vaughn reported that Local Option Sales

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Tax for June 2014 is \$898,753. Local Option Sales Tax for June 2014 show a decrease of 3% compared to Local Option Sales Tax Collections for May 2014; Local Option Sales Tax collections for June 2014 show an increase of 59% from June 2013. This large increase is mainly contributable to the fact that the June 2013 collections were reduced by a vendor refund of \$368,055. If the refund had not occurred, the June 2013 collections would have been \$934,895. In that case, June 2014 collections would show a decrease of 4% compared to June 2013 collections. Year to date Local Optional Sales Tax collections through June 2014 show a 3% increase compared to Year to date Local Options Sales Tax collections for 2013; Year to date actual revenues of \$13,017,532 for June 2014 are over year to date projected revenue \$12,895,362 by less than 1%. Year to date actual expenditures of \$20,322,344 for June 2014 are less than year to date projected of \$20,603,602 by less than 1%. TAVT Collections for June 2014 were \$143,665. The motion was approved 3-0, with Commissioners Brooker, Staten and Morehouse in agreement. **(SEE EXHIBIT "A")**

3. **Dalton Utilities Cable Franchise Agreement Extension:** Motion was made by Commissioner Brooker and seconded by Commissioner Staten to accept the Dalton Utilities Cable Franchise Agreement Extension the original agreement was approved in 2003. The motion was approved 3-0, with Commissioners Morehouse, Brooker, and Staten in agreement.
4. **City of Varnell Annexation Request – Tax Parcel 11-263-01-063:** Motion was made by Commissioner Morehouse and seconded by Commissioner Staten for no land use classification objection to the City of Varnell regarding tax parcel 11-263-01-063. For this parcel the City of Varnell proposed a zoning change from County R-2 to Varnell R-1. Tax Parcel 11-263-01-063 is owned by Jessica Ochoa, Efrain & Maria P. Ochoa. The Motion was approved 3-0 with Commissioners Brooker, Morehouse and Staten in agreement.
5. **Town of Cohutta Annexation Request – Tax Parcel 11-121-18-000:** Motion was made by Commissioner Morehouse and seconded by Commissioner Staten for no land use classification objection to the Town of Cohutta regarding tax parcel 11-121-18-000. For this parcel the Town of Cohutta proposed a zoning change from County R-1 to Cohutta R-1. Tax Parcel 11-121-18-000 is owned by David and Sheila Rose. The Motion was approved 3-0 with Commissioners Brooker, Morehouse and Staten in agreement.
6. **Town of Cohutta Annexation Request – Tax parcel 11-119-01-048:** Motion was made by Commissioner Morehouse and seconded by Commissioner Staten for no land use classification objection to the Town of Cohutta regarding tax parcel 11-119-01-048. For this parcel the Town of Cohutta proposed a zoning change from County C-1 to Cohutta C-2. Tax parcel 11-119-01-048 is owned by 543DG, LLC. The motion was approved 3-0, with Commissioners Morehouse, Staten and Brooker in agreement.
7. **Acceptance of Gift of Property – Georgia Battlefields Association, Inc. – Mr. Hanlon Cox:** Motion was made by Commissioner Brooker and seconded by Commissioner Staten to accept a gift of property in the name of Whitfield County. This property is located next to 'Potato Hill' (Picket Top), the Confederate Battery was stationed there at Picket Top during the Battle of Crow Valley on May 9-12, 1864. The property is to be preserved only for use as a historic park which shall be preserved for historic, conservation and recreational purposes. By its acceptance and recording of this deed in Whitfield County, by and through its Board of Commissioners covenants to erect appropriate historical signage on the above described property commemorating the fact that the funds necessary to purchase the property were donated to Whitfield County, by the Georgia Battlefields Association, Inc. The total area of the property is 3.92 acres. It is located off of Reed

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Road in Whitfield County. The motion was approved 3-0, with Commissioners Brooker, Morehouse, and Staten in agreement. **(SEE EXHIBIT "B")**

PUBLIC COMMENT:

Mr. Scott Headrick was scheduled to speak to the Commissioners regarding a "No Thru Trucks" sign on Tate Road, however Mr. Headrick was unable to attend the meeting, and he is out of town on business.

1. Ms. Elaine Smith came before the Commissioners to talk about her dog that was incorrectly euthanized at the Animal Shelter last month. Ms. Smith's dog had bit a child and did not have proof of a rabies vaccine. Ms. Smith noted that she was treated very rudely by the Animal Control Officer that came out to her house to pick up the dog. Ms. Smith's dog was transferred to the Animal Shelter to be quarantined for ten days, Ms. Smith's dog was euthanized before the ten days were up. Chairman Babb asked Ms. Smith the Animal Control Officer that came out to pick up the dog was the one that spoke to her rudely. Ms. Smith answered yes. Chairman Babb noted that several years ago the Sheriff's Office had taken over Animal Control for the County, they enforce the laws, pick up the dogs and bring the dogs to the Shelter. Chairman Babb asked Ms. Smith to clarify ownership of the dog, in the initial 911 call Ms. Smith stated that she was keeping the dog for someone. Ms. Smith stated that she bought the dog for her son, but it was her dog. Ms. Smith suggested a way to prevent this situation from happening again, is to clip a tag on the cages that show when they dog was brought in, why it was brought in, how long to hold the dog, the owner of the dog if applicable, by doing this she hopes that this will prevent another wrongful euthanization.
2. Ms. Sheree Patton & Ms. Bolger came forward to speak in regards to the Animal Shelter and how to prevent another situation like Ms. Smiths. Ms. Patton noted that the Animal Shelter could develop new ways to provide more efficient and effective services to the animals in their care. Ms. Patton provided the Commissioners with some ideas for promoting positive changes at the Animal Shelter such as a team of employees that share the same goals, hold accountability to the staff, get a Facebook page, increase and become active with rescue partnerships, training in leadership and other learning opportunities, work with fosters, pet retention-work with families to help them find solutions to keeping their animals, trap-neuter release of feral cats, public relations/community donations and public exposure, create a committee of volunteers to promote awareness.
3. Ms. Rita Burrows who is the kennel manager from the Humane Society spoke to the Board regarding the Animal Shelter situation. Ms. Burrows noted that she volunteers at the Humane Society 30-40 hours a week, her husband Micky Burrows is the President of the Humane Society. Ms. Burrows stated that she goes to the Animal Shelter 1-3 times a week to see if there are any animals that can be adopted out though the Humane Society. Ms. Burrows noted that they are making a difference through the Humane Society and with community effort, in 2008 the Shelter euthanized 4222, in 2013 2424, and this year it is expected to be less. Ms. Burrows noted that the main reason to the decline in euthanizations has to do with aggressive spay and neutering, that is the answer, there is no way to adopt out of this situation, there are too many people, the shelter gets anywhere from 25-50 animals a week, the Humane Society get calls to take in 15-20 animals a week, they have a spay and neuter clinic that comes in form Colorado every other month who spay and neuter about 30-35 pets for 14-16 days straight, the work with Wally's Friends in Red Bank, Daisy Day Spay in Cleveland, they also work with a lot of veterinarians in Dalton but still don't have the handle on the number of animals in Dalton. Ms. Burrows stated that she goes to the Shelter as early as 8:45 to pick up animals, the Shelter will hold large animals for the Humane Society since they do not have a lot of space for them, the majority of the public wants the small dogs, the shelter has held the dogs for up to fourteen days

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for the Society, Ms. Burrows does think that the shelter does need volunteers, but they have to be aware that they can't expect to adopt out 50 dogs a week, they need to understand that unfortunately some dogs will have to be euthanized. Ms. Burrows stated that if our community continues to allow their animals to run loose and keep reproducing, the shelter can't hold that many un-neutered large dogs in a kennel where they will be fighting and hurting each other, especially when there is not a vet on staff to take care of the hurt animals, the budget should have money for vaccinations upon intake. Ms. Burrows noted that by Georgia State Law, the shelter cannot adopt out an animal that is not spayed and neutered, then can however call the Humane Society that takes them to the vet to be spayed and neutered. Ms. Burrows also suggested that the County work in funds for spay and neutering services.

4. Ms. Hope Lewis founder of Koko's Kisses a pit bull advocacy group, came forward and spoke on the topic, she stated that as a community we need to be more responsible in managing our pets by keeping up with their vaccinations and making sure that they are properly secured on a leash or in a fenced in yard.
5. Mr. Mickey Burrows, president of the Humane Society came before the Board to speak on the topic, he said that there are two things that need improvement, the first is the situation with number of animals entering the animal shelter, and the other is that the community as a whole needs to work together to make sure that we are doing everything that we can think of to prevent the animals from ever entering the shelter, the focus should be focused on prevention, and as pet owners it's our responsibility to prevent the animals from going to the shelter, not the County's responsibility.
6. Mr. Darrel Long came forward to speak about the topic, he said he would like to see that no animal at the shelter be put to sleep. Mr. Long also noted that he is against the County implementing a Business License/Occupational Tax system.

County Administrator Mark Gibson gave a report to the citizens and the Board regarding the situation at the Animal Shelter. Mr. Gibson reported that changes have been made at the Shelter to try to prevent another unfortunate situation like Ms. Smith's, Mr. Gibson further stated that he would like to implement an Animal Advisory Board to get input from the community, to help the situation at the animal shelter. Mr. Gibson noted that the personnel issues at the animal shelter is currently in process.

There were no more public comments.

EXECUTIVE SESSION:

Motion was made by Commissioner Morehouse and seconded by Commissioner Staten to enter into an Executive Session in order to discuss personnel. Present for the meeting were Chairman Mike Babb, Commissioners Morehouse, Brooker, and Staten, County Attorney Robert Smalley, County Administrator Mark Gibson, Human Resources Director Jackie Carlo and County Clerk Blanca Cardona. Mr. Randy Beckler from the Board of Tax Assessors was present during the last half of the executive session. The motion was approved 3-0, with Commissioners Morehouse, Brooker, and Staten in agreement.

Motion was then made by Commissioner Morehouse and seconded by Commissioner Brooker to come out of Executive Session. The motion was approved 3-0, with Commissioners Morehouse, Brooker, and Staten in agreement.

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ADJOURN Unanimous

MIKE BABB, CHAIRMAN
WHITFIELD COUNTY BOARD OF COMMISSIONERS

BLANCA CARDONA, COUNTY CLERK

DATE: / /