

MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, DECEMBER 8, 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
Robby Staten, Member
Gordon Morehouse, Member

Others Present:

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

Chairman Babb took a moment to recognize the two newly elected Whitfield County Commissioners, Barry Robbins District 1 and Roger Crossen District 3, they will take office on January 1, 2015, he also welcomed the participants of the Leadership Dalton program.

WORK SESSION

1. The work session was called to order by Chairman Babb, there will also be a public comment section during the work session for budget questions only.
2. Finance Director Alicia Vaughn presented a powerpoint of the general overview of the 2015 budget.
3. Mrs. Vaughn presented three options to the Board of Commissioners for the approval of the 2015 budget, option one is with the full \$6.7 million deficit, option two includes a planned 1 mil increase removal of pension funding and a \$3.2 million deficit, option three includes a planned 1 mil increase removal of pension funding and removal of paving with a deficit of \$2.2 million.
4. Mrs. Vaughn presented the fire district budget with a ladder truck included which will require a 1 mill increase for the special tax districts, if the SPLOST passes in March 2015 the 1 mil increase can be avoided.
5. Commissioner Morehouse noted that Whitfield County has been very fortunate with the retirement plan so far and the County can afford to not fund the pension and it still be in good shape and believes that would be the best option to help with the 2015 budget.
6. Commissioner Morehouse noted that this current Board of Commissioners should not bind the upcoming Board in terms of any kind of revenue generator by a tax increase.
7. Commissioner Laughter noted that she would be alright if the funding for pension would be left out of the 2015 budget, but would like to see the paving left in.
8. Commissioner Staten noted that for the 2015 budget pension and paving could be cut from funding but it still would not balance the budget but the deficit would be less than the \$6.7 million deficit.
9. Commissioner Brooker noted that if the 2015 SPLOST passes the ladder truck could be taken out of the 2015 Budget and go towards paving.
10. Commissioner Brooker noted that if the 2015 SPLOST is passed the homeowners would benefit because it would be spread out between all of the people not just a minority of people.
11. Chairman Babb noted that Whitfield County is the twenty-second lowest M&O rate in the 159 counties in the State of Georgia and only seven other Counties in the State of Georgia do not have a SPLOST.
12. Chairman Babb asked the public for any public comments regarding the budget.
13. Octavio Perez came before the Board to ask about Carbondale Park and how it fits into the budget.

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14. Chairman Babb let Mr. Perez know that economic development in Whitfield County costs approximately \$20 million which includes Carbondale Park.
15. The work session was adjourned

Motion was made by Commissioner Morehouse and seconded by Commissioner Brooker to amend the agenda. The motion was approved 4-0.

4 items were added from the potential additional items; (1. Work Session, 2. TSPLOST Project 3.12 Change Order #1, 3. Resolution to Convey Property, 4. Quit Claim Deed – Dudley Lock)

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

Mrs. Nadia Curtis was named the Whitfield County Employee of the Month for October 2014. Mrs. Curtis works at the Whitfield County Sheriff's Office.

PUBLIC HEARING

Chairman 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 Quickway located at 2958 Cleveland Hwy, Dalton, GA. No comments or concerns were expressed in the Public Hearing so Chairman Babb closed the hearing.

Appointment to the Northwest Georgia Region 1 EMS Council: Motion was made by Commissioner Morehouse and seconded by Commissioner Laughter to appoint Mr. Edward O'Brien to the Northwest Georgia Region 1 Emergency Medical Services Council. The seat is for a two year term ending January 2017. The motion was approved 4-0, with Commissioners Brooker, Laughter, Staten and Morehouse in agreement.

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

FOR CONSIDERATION

1. **Malt Beverage/Wine License – Quickway:** Motion was made by Commissioner Morehouse and seconded by Commissioner Staten to approve the Malt Beverage/Wine License for Quickway located at 2958 Cleveland Hwy. The motion was approved 4-0, with Commissioners Brooker, Morehouse, Staten and Laughter in agreement.
2. **Ordinance Sunday Sales – Package and By the Drink:** Motion was made by Commissioner Morehouse and seconded by Commissioner Brooker to approve an Ordinance for Sunday Alcohol Sales by the Package and by the Drink, in accordance with the two referendum elections approved by a majority of the votes cast in Whitfield County on November 4, 2014, to commence on January 1, 2015. The motion was approved 4-0, with Commissioners, Brooker, Staten, Laughter and Morehouse in agreement. **(SEE EXHIBIT "A")**

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3. **Limestone Valley Memorandum of Agreement:** Motion was made by Commissioner Brooker and seconded by Commissioner Staten to enter into agreement with the Limestone Valley Soil and Water Conservation District, the City of Tunnel Hill, the City of Varnell and the City of Dalton. The agreement states that the County is able to conduct technical review and approval of erosion and sediment control plans in accordance with standards set forth in the ordinance of the County and the Cities, to submit to the District quarterly reports, and to keep the District informed of land-disturbing plans that may affect soil and water conservation. The motion was approved 4-0, with Commissioners Brooker, Morehouse, Staten and Laughter in agreement. **(SEE EXHIBIT "B")**

4. **Amendment to the Service Delivery Agreement Stormwater Management:** Motion was made by Commissioner Brooker and Seconded by Commissioner Staten to amend the Service Delivery Agreement regarding Stormwater and Soil Erosion. The City of Dalton desires to amend the agreement to allow Whitfield County to assume certain administrative and enforcement responsibilities for Stormwater management, MS4 permitting compliance, soil erosion and sedimentation permitting within the corporate limits of the City of Dalton. The motion was approved 4-0, with Commissioners Brooker, Laughter, Morehouse and Staten in agreement. **(SEE EXHIBIT "C")**

5. **Intergovernmental Contract Agreement – SPLOST 2015:** Motion was made by Commissioner Morehouse and seconded by Commissioner Staten to approve the Intergovernmental Agreement for a Special Purpose Local Sales Tax between Whitfield County and the Cities of Cohutta, Dalton, Tunnel Hill and Varnell for the purpose of generating funds to be used and expended on a capital outlay project or projects to be owned or operated or both either by the county, one or more municipalities, or any combination thereof, and O.C. G A. § 48-8-115(b) authorized the distribution of proceeds from the Special Sales Tax to the county governing authority and any qualifies municipalities in accordance with an intergovernmental agreement entered into for such purpose. The motion was approved 4-0, with Commissioners, Morehouse, Laughter, Staten and Brooker in agreement. **(SEE EXHIBIT "D")**

6. **Resolution Placing a SPLOST Referendum on the March 17, 2015 Special Election Ballot:** Motion was made by Commissioner Brooker and seconded by Commissioner Staten authorize a Resolution to place a Four-Year Special Purpose Local Option Sales Tax (SPLOST) Referendum on the March 17, 2015 Special Election Ballot for voters to decide on. If passed by the voters, it is expected that the SPLOST would collect about \$63.6 Million over the next four years. Please see Exhibit "A" for a project list. The motion was approved 4-0, with Commissioners Brooker, Laughter, Staten and Morehouse in agreement. **(SEE EXHIBIT "E")**

7. **Rezoning Request – Paul Johnson:** Motion was made by Commissioner Morehouse and seconded by Commissioner Laughter to approve a rezoning request by Paul Johnson to rezone 2.32 acres parcel 12-115-03-000 from General Commercial (C-2) to Single Family Residential (R-2); the property is addressed as 2932 Chattanooga Highway, Rocky Face. The Dalton-Whitfield Planning Commission had recommended that the Board approve the rezoning of this parcel. The motion was approved 4-0, Commissioners Laughter, Staten, Brooker and Morehouse in agreement.

8. **Rezoning Request – Jerry W. Braden:** Motion was made by Commissioner Brooker and seconded by Commissioner Staten to approve a rezoning request by Jerry W. Braden to rezone 15.61 acres parcel 12-102-11-000 from Single Family Residential (R-2) to Multi-Family/Condominium Residential (R-6); the property is located at the south end of Miller Grove

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and Apple Tree Way. The Dalton-Whitfield Planning Commission had recommended that the Board approve the rezoning of this parcel with the following conditions, not more than 100 dwelling units shall be constructed on the site and the access from the west side of the site shall be directed to the east R/W of the Cleveland Highway. The motion was approved 4-0, Commissioners Laughter, Staten, Brooker and Morehouse in agreement.

9. **Whitfield County Environmental Health Proposed Fee Increases:** Motion was made by Commissioner Brooker and seconded by Commissioner Staten to approve the proposed Environmental fee increases. The new fees will go into effect on January 1, 2015. The motion was approved 4-0, with Commissioners Brooker, Staten, Morehouse and Laughter in agreement. **(SEE EXHIBIT "F")**
10. **October 2014 Financial Statements:** Motion was made by Commissioner Morehouse and seconded by Commissioner Brooker to approve the October 2014 Financial Statement as presented by Finance Director, Alicia Vaughn. In discussion Mrs. Vaughn reported that Local Option Sales Tax for October 2014 is \$1,073,766. Local Option Sales Tax for October 2014 show an increase of 16.3% compared to Local Option Sales Tax Collections for October 2013, Local Option Sales Tax collections for October 2014 show a 16.8% increase from September 2014. Year to date actual Local Option Sales Tax collections for 2014 of \$9,168,132 show an increase of 11% compared to actual Year to Date Local Option Sales Tax for 2013 \$8,258,007 for the same period. If the refunds in June and July of last year had not occurred year to date 2014 collections would be down by 1% compared to last year. Year to date actual revenues of \$21,227,399 for October 2014 are over than year to date projected revenues of \$20,642,197 by 3%. Year to date actual expenditures of \$32,838,411 for October 2014 are less than year to date projected of \$33,888,969 by less than 3%. The County began collecting the TAVT Tax on March 1, 2014. Collections for October 2014 were around \$140,580. The motion was approved 4-0, with Commissioners Brooker, Laughter, Morehouse and Staten in agreement. **(SEE EXHIBIT "G")**
11. **Alcohol License Renewals 2015:** Motion was made by Commissioner Morehouse and seconded by Commissioner Staten to approve the 2015 Alcohol License Renewals contingent upon a clear criminal history and payment of fees. Exhibit "H" is a list of establishments currently in operation and holding a 2014 Alcohol License. There were not any reports of any violations regarding these establishments. The Accounting Department was in the process of doing criminal background investigations on all applicants to ensure there has been no change in status over the past year. The Accounting Department asked that all renewals be contingent upon a clear criminal history and payment of fees. It was noted that a status change would require further action by the Board. The motion was approved 4-0, with Commissioners Morehouse, Staten, Brooker and Laughter in agreement. **(SEE EXHIBIT "H")**
12. **Adoption of 2015 Budget:** Motion was made by Commissioner Laughter and seconded by Commissioner Morehouse to adopt the 2015 budget with removing the pension and leaving the paving in and a 2 mill increase. The motion was put to a vote, the vote was 2-3 with Commissioners Laughter and Morehouse in agreement and Commissioners Brooker, Staten and Chairman Babb in dissention. Motion was then made by Commissioner Brooker and seconded by Commissioner Staten to adopt the 2015 budget removing the pension and the paving and a 1 mill increase. The motion was approved, 3-2, with Commissioner Brooker, Staten and Chairman Babb in agreement, and Commissioners Morehouse and Laughter in dissention. **(SEE EXHIBIT "I")**
13. **Tax Assessor's Office – Contract with Southdata:** Motion was made by Commissioner Morehouse and seconded by Commissioner Staten to enter into a contract with Southdata for the professional service of producing, printing, and mailing the assessment notices for the tax

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assessor's office. Due to the technical nature of this contract and the amount of setup time required for this service this contract is for a three year period and will commence on December 1, 2014 and end on December 31, 2017. The motion was approved 4-0, with Commissioners Brooker, Morehouse, Staten and Laughter in agreement. **(SEE EXHIBIT "J")**

14. **Public Works Department – Concrete Pipe, Headwalls, and Flared End Section Bid:** Motion was made by Commissioner Morehouse and seconded by Commissioner Staten to approve the bid from Hanson Pipe and Precast for Concrete Pipe, Headwalls, and Flared end Sections. The motion was approved 4-0, with Commissioners Laughter, Morehouse, Brooker, and Staten in agreement.
15. **Public Works Department Boot Allowance:** Motion was made by Commissioner Morehouse and seconded by Commissioner Brooker to approve the boot proposal from Discount Sporting Goods. Whitfield County Public Works Department requested bids for the Work Boot Allowance program and the following vendors submitted bids for the items: Discount Sporting goods, Dalton, Georgia, Body Armor Outlet, Salem, New Hampshire, Unimex Corporation, Sterling, California and Karwing Trading Co, South El Monte, California. It was the recommendation of the Public Works Department to accept the bid from Discounts Sporting Goods. The motion was approved 4-0, with Commissioners Staten, Laughter, Brooker and Morehouse in agreement.
16. **Public Works Department Striping Bid:** Motion was made by Commissioner Morehouse and seconded by Commissioner Staten to approve the Striping Bid from Parker Traffic Markering. Whitfield County Public Works Department requested bids for Road Striping and the following vendors submitted bids: Parker Traffic Markering and Peek Pavement Markering. It was the recommendation of the Public Works Department to accept the bid from Parker Traffic Markering. The motion was approved 4-0, with Commissioners Staten, Laughter, Brooker and Morehouse in agreement.
17. **Juvenile Court – Declaration of Surplus:** Motion was made by Commissioner Morehouse and seconded by Commissioner Laughter to approve the declaration of surplus of a paper shredder. The motion was approved 4-0, with Commissioners Brooker, Laughter, Staten and Morehouse in agreement.
18. **Fire Department – Purchase of One (1) 2015 One Ton Crew Cab:** Motion was made by Commissioner Morehouse and seconded by Commissioner Laughter to approve the purchase of (1) 2015 One Ton Crew Cab for the Fire Department. It was the Fire Departments recommendation to purchase this vehicle from Brooker Ford at \$43,732. The motion was approved 4-0, with Commissioners Brooker, Laughter, Morehouse and Staten in agreement.
19. **TSPLOST Project 3.12 – Change Order #1:** Motion was made by Commissioner Brooker and seconded by Commissioner Morehouse to approve the change order for TSPLOST Project 3.12 in the amount of \$71,147. There are five cross drain pipes that have to be replaced, they are corrugated metal and are not in good shape as originally thought. The motion was approved 4-0, with Commissioners Brooker, Staten, Laughter and Morehouse in agreement. **(SEE EXHIBIT "K")**
20. **Resolution to Convey Property/Quit Claim Deed – Dudley Lock:** Motion was made by Commissioner Morehouse and seconded by Commissioner Staten to approve the Resolution to Convey Property and for Chairman Babb to execute the Quit Claim Deed for Dudley Lock. The motion was approved 4-0, with Commissioners Laughter, Morehouse, Brooker and Staten in agreement. **(SEE EXHIBIT "L")**

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PUBLIC COMMENT:

Lily Clark came before the Board to ask the Board to consider including the Emery Center in the current list of SPLOST projects. Commissioner Laughter let Mrs. Clark know that the SPLOST projects have already been approved by the Municipalities and the County. The Board suggested to Mrs. Clark to contact Dennis Mock, newly elected Mayor for the City of Dalton. The City of Dalton owns the Emery Center property.

Chairman Babb presented a plaque to outgoing Commissioner Gordon Morehouse for his four years of service to Whitfield County as Commissioner of District 1. Commissioner Morehouse was elected in 2011.

Chairman Babb recognized Finance Director Alicia Vaughn with the Certificate of Financial reporting Achievement for Excellence in Financial Reporting that was awarded to Whitfield County by the Government Finance Officers Association. This award is the highest form of recognition in governmental accounting and financial reporting.

There were no other public comments.

ADJOURN Unanimous

MIKE BABB, CHAIRMAN
WHITFIELD COUNTY BOARD OF COMMISSIONERS

BLANCA CARDONA, COUNTY CLERK

DATE: / /