

MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, MAY 12, 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

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

5 items were added from the potential additional items; (Appointment to the Murray-Whitfield JDA-Tangela Johnson, Special Use Permit: Verizon Wireless, 2013 Budget Amendment #7, SPLOST Project 3.8 IGA Amendment, and Georgia Civil War Heritage Trails sign purchase)

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

Mr. Joseph Keith Holtzclaw was named the Whitfield County Employee of the Month for March 2014. Mr. Holtzclaw works in the Sheriff's Office.

PRESENTATION

Mr. Jerry Braden from the Braden Group located in Summerville GA, came before the Board to speak about his plans to apply to the Georgia Department of Community Affairs for both Federal and State tax credits to fund the development of a senior housing complex to be located in Whitfield County. Mr. Braden noted that he has developed several complexes in the areas surrounding Whitfield County. Mr. Braden stated that all of the complexes he has developed are two stories with elevators and become assets to the community. The proposed site is located on the north side of Dalton, off of Cleveland Hwy, adjacent to the Dalton Village shopping center. Mr. Braden noted that his architects have designed single family cottages around 1200 square feet for seniors, to include a carport, which is new concept that he has not done in the past. Mr. Braden will be submitting his application to Georgia DCA in the beginning of June but will not find out if they get funded until December. If they get funded they will start development around July of 2015. In previous years Georgia DCA requires a resolution of support from local government to be submitted along with the application, it is no longer a requirement, however they do require that public notice is given to local government, once the application is filed by DCA, DCA will inform Whitfield County know that an application has been received. Mr. Braden asked for support from the Board regarding this application and if they should want they could call around to the surrounding Cities or Counties where complexes have been built and ask about them. Mr. Braden stated that the complexes they build are first class, top quality and management of the property is great. Chairman Babb asked if Mr. Braden has a contract on the property, Mr. Braden replied that he did. Commissioner Laughter asked if a zoning change will be required, Mr. Braden said at this point it is not required, but if DCA approves the funding in December then a zoning change will be required at that time so that both tracts can have the same zoning classification. Chairman Babb thanked Mr.

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Braden for coming before the Board and informing them of his plans to submit the Housing Tax Credits application to Georgia DCA and the possibility of the development of a Senior Citizen Housing Complex in Whitfield County.

PROCLAMATIONS

1. **National Public Works Week**: Motion was made by Commissioner Brooker and seconded by Commissioner Laughter to proclaim the week of May 18-24, 2014 as National Public Works Week in Whitfield County, Georgia. The motion was approved 4-0, with Commissioners Brooker, Staten, Laughter and Morehouse in agreement. **(SEE EXHIBIT "A")**
2. **Food Allergy Awareness Week**: Motion was made by Commissioner Morehouse and seconded by Commissioner Staten to proclaim the week of May 11-17, 2014 as Food Allergy Awareness Week in Whitfield County, Georgia. Ms. Karen Harris founder of Food Allergy for Kids of Atlanta, and Ms. Julie Sane of No Nuts Moms Group of Dalton were present to receive the proclamation. Ms. Harris thanked the Board for recognizing Food Allergy Awareness Week to raise awareness about food allergies and food allergy reactions. The motion was approved 4-0, with Commissioners Brooker, Staten, Laughter and Morehouse in agreement. **(SEE EXHIBIT "B")**

APPROVAL OF MINUTES: Motion was made by Commissioner Morehouse and seconded by Commissioner Staten to approve the Special Called Business Meeting Minutes of April 21, 2014. The motion was approved 4-0, with Commissioners Staten, Brooker, Laughter and Morehouse in agreement.

FOR CONSIDERATION

1. **Resolution – Sunday Sales of Malt Beverages and Wine by the Package**: Motion was made by Commissioner Staten and seconded by Commissioner Morehouse to pass a Resolution Calling for a Referendum on Sunday Sales of Malt Beverages and Wine by the Package. The following question would be placed on the November 4, 2014 General Election Ballot; "Shall the governing authority of Whitfield County be authorized to permit and regulate package sales by retailers of both malt beverages and wine on Sundays between the hours of 12:30 P.M. and 11:30 P.M." This would place the vote in the hands of our citizens. The motion was approved 3-1, with Commissioners Staten, Morehouse, and Laughter in agreement. Commissioner Brooker voted against the resolution. **(SEE EXHIBIT "C")**
2. **Resolution – Sunday Sales of Alcoholic Beverages by the Drink**: Motion was made by Commissioner Morehouse and seconded by Commissioner Laughter to pass a Resolution Calling for a Referendum on Sunday Sales of Alcoholic Beverages by the Drink. The following question would be placed on the November 4, 2014 General Election Ballot; "Shall the governing authority of Whitfield County be authorized to permit and regulate Sunday sales of distilled spirits or alcoholic beverages for beverage purposes by the drink". This would place the vote in the hands of our citizens. The motion was approved 3-1, with Commissioners Staten, Morehouse, and Laughter in agreement. Commissioner Brooker voted against the resolution. **(SEE EXHIBIT "D")**
3. **Ratify – Resolution to Open a Money Market Account with CSB Bank**: Motion was made by Commissioner Brooker and seconded by Commissioner Laughter to ratify the resolution to open a money market account with Community and Southern Bank for SPLOST funds. SPLOST funds can't be commingled with General Fund deposits and must be kept in a separate account. The motion was approved 4-0, with Commissioners Morehouse, Brooker, Staten and Laughter in agreement. **(SEE EXHIBIT "E")**

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4. **March 2014 Financial Statements:** Motion was made by Commissioner Morehouse and seconded by Commissioner Brooker to approve the March 2014 Financial Statements as presented by Finance Director, Alicia Vaughn. In discussion, Mrs. Vaughn reported that Local Option Sales Tax for March 2014 is \$931,681. Local Option Sales Tax for March 2014 show an increase of 6% compared to Local Option Sales Tax Collections for February 2014; Local Option Sales Tax collections for March 2014 show a 7% decrease from March 2013. Year to date Local Optional Sales Tax collections through March 2014 show a 4% decrease compared to Year to date Local Options Sales Tax collections for 2013; Year to date actual revenues of \$7,119,778 for March 2014 are over year to date projected revenue \$7,071,622 by 1%. Year to date actual expenditures of \$8,940,296 for March 2014 are less than year to date projected of \$9,669,238 by less than 8%. TAVT Collections for March 2014 were \$173,314. The motion was approved 4-0, with Commissioners Brooker, Laughter, Staten and Morehouse in agreement. **(SEE EXHIBIT "F")**
5. **2013 Budget Amendment #7:** Motion was made by Commissioner Morehouse and seconded by Commissioner Brooker to approve budget amendment #7 as presented by Finance Director Alicia Vaughn. This budget amendment will adjust budget to estimated final actuals for Health Insurance Expense for the 2013 fiscal year, effect of budget amendment #7 to General Fund; increase budgeted expenditures by \$38,200. The motion was approved 4-0, with Commissioners Morehouse, Laughter, Staten and Brooker in agreement. **(SEE EXHIBIT "G")**
6. **City of Varnell Annexation Request - Tax parcel 11-264-06-031:** Motion was made by Commissioner Brooker and seconded by Commissioner Staten for no land use classification objection to the City of Varnell regarding tax parcel 11-264-06-031. For this parcel the City of Varnell proposed a zoning change from County R-2 to Varnell R-1. Tax parcel 11-264-06-031 is owned by Elia Alvarez. The motion was approved 4-0, with Commissioners Morehouse, Staten, Laughter and Brooker in agreement.
7. **Cisco Support Renewal:** Motion was made by Commissioner Staten and seconded by Commissioner Morehouse to award the Cisco support contract to Prosys for \$28,670.00. Cisco Support covers the hardware responsible for wired and wireless network communications as well as voice. This equipment is essential for daily operations. The support has four hour replacement coverage for critical network and voice components and next day for less critical equipment. Licensing and technical support is included in this agreement. The IT Department reduced the coverage amount by purchasing network switch gear to cover several components instead of electing support. Prosys was the only responder to the RFP. The motion was approved 4-0, with Commissioners Laughter, Morehouse, Brooker and Staten in agreement.
8. **Sheriff's Department – Equipment for Ten (10) Ford Interceptors:** Motion was made by Commissioner Brooker and seconded by Commissioner Morehouse to approve the purchase of installation and equipment for ten (10) 2014 Ford Interceptors from West Chatham Warning Devices Inc for \$52,000.00 The Sheriff's Department received bids on April 28, 2014 from Emergency Equipment Specialists at \$68,056.50, Law Enforcement Supply at \$60,166.60 and West Chatham Warning Devices Inc. at \$52,000.00. It was the Sheriff Department's recommendation to approve and accept the purchase of installation and equipment for ten (10) 2014 Ford Interceptors from West Chatham Warning Devices Inc. at \$52,000.00 because they can install all equipment on site at the Law Enforcement Center and they are the lowest bidder that met the specifications required. The motion was approved 4-0, with Commissioners Laughter, Staten, Brooker and Morehouse in agreement.

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9. **HVAC Chiller Unit Health Department:** Motion was made by Commissioner Laughter and seconded by Commissioner Brooker to approve half the cost of the purchase of a chiller unit for the HVAC at the Health Department from Johnsons control at \$ 35,178 and accept funding form the Health Department for the other half of \$ 35,178. The chiller control unit for the HVAC unit for the Health Department is not operational so there is no air conditioning flowing into the building. Building and Grounds received the request from the Health Department for an emergency purchase of the unit and installation. In addition the Health Department will pay half of the cost of the unit and installation. The motion was approved 4-0, with Commissioners Laughter, Morehouse, Brooker and Staten in agreement.

10. **HVAC Chiller Unit Installation Health Department:** Motion was made by Commissioner Laughter and seconded by Commissioner Brooker to approve Cornerstone Automation to install the HVAC Chiller Unit at the Health Department in the amount of \$15,922. Cornerstone Automation is contracted with the Health Department for service and installation. The Health Department will pay half the cost of the purchase of a chiller unit for the HVAC at the Health Department and half the cost of the installation. The motion was approved 4-0, with Commissioners Laughter, Morehouse, Brooker and Staten in agreement.

11. **Public Works Purchases:**
 - a. **Striping Contract- Public Works:** Motion was made by Commissioner Brooker and seconded by Commissioner Staten to accept the bid from Parker Traffic Marking for contract striping for roads in the Public Works Department. Two bids were received, Peek Pavement Marking and Parker Traffic Marking, but it was determined that Parker Traffic Marking was the low bidder. Public Works requested bids on roadway striping, thermoplastic and raised pavement marking. The motion was approved 4-0, with Commissioners Brooker, Laughter, Staten and Morehouse in agreement.

 - b. **Fuel System - Public Works:** Motion was made by Commissioner Morehouse and seconded by Commissioner Staten to accept the purchase of Fuel System Upgrade and Installation from Atlantic Petroleum Co. Inc. for \$24,069. Public Works requested an RFP for the Fuel System upgrade and installation. Three vendors submitted and RFP for this item Trak Engineering at \$13,145 (incomplete RFP and did not meet specs), Atlanta Petroleum Co. Inc. at \$24,069 and Estes Equipment Co. Inc. at \$27,496.75. The motion was approved 4-0, with Commissioners Brooker, Laughter, Staten and Morehouse in agreement.

 - c. **Declaration of Surplus Vehicles & Equipment:** Motion was made by Commissioner Morehouse and seconded by Commissioner Brooker to surplus 8 items from Public Works and 2 items from Building and Grounds to be placed on GovDeals.com. A copy of this list is included in the minutes. The motion was approved 4-0, with Commissioners Brooker, Staten, Morehouse and Laughter in agreement. **(SEE EXHIBIT "H")**

 - d. **Ratify – Capital Lease Agreement with John Deere Credit:** Motion was made by Commissioner Brooker and seconded by Commissioner Morehouse to ratify the Lease agreement with John Deere Credit. Purchase of two tractors and mowers was made on March 11, 2013. The motion was approved 4-0, with Commissioners Laughter, Morehouse, Staten and Brooker in agreement. **(SEE EXHIBIT "I")**

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12. **BJA JAG Grant:** Motion was made by Commissioner Morehouse and seconded by Commissioner Staten to announce an application being made for the FY2014 JAG Grant through BJA. The Conasauga Drug Court would like to apply for this grant in the amount of \$16,499. There is not a required County match for the grant funding and the money will be used for treatment for the drug court participants. The motion was approved 4-0, with Commissioners Laughter, Brooker, Staten, and Morehouse in agreement.

13. **Appointment to the Murray-Whitfield Joint Development Authority:** Motion was made by Commissioner Morehouse and seconded by Commissioner Staten to appoint Tangela Johnson to fill the unexpired term of David Callahan to the Murray-Whitfield Joint Development authority which will expire on December 31, 2015. The motion was approved 4-0, with Commissioners Brooker, Laughter, Staten and Morehouse in agreement.

14. **Special Use Permit – Verizon Wireless:** Motion was made by Commissioner Morehouse and seconded by Commissioner Brooker to deny the Special Use permit for Verizon Wireless to erect and operate a telecommunications tower in a Single Family (R-2) zoning district located at 1079 Mill Creek Rd. The Dalton-Whitfield Planning Commission made the recommendation to the Board of Commissioners to deny the Special Use Permit of this particular site in the R-2 zone citing that the chosen site is seemingly more detrimental to current land use and does not honor the integrity of this particular R-2 zoning location. Commissioner Morehouse expressed his reasoning behind his motion to deny this Special Use Request, citing concerns primarily with the surrounding land uses in the existing R-2 zoning in the Mill Creek Valley both developed and undeveloped. Commissioner Morehouse's remarks are included in these minutes. The motion was approved 4-0, with Commissioners Laughter, Staten, Brooker and Morehouse in agreement. **(SEE EXHIBIT "J")**

15. **SPLOST Project 3.8 Amendment to IGA with City of Dalton:** Motion was made by Commissioner Brooker and seconded by Commissioner Morehouse to approve the Amendment to the Intergovernmental Agreement with the City of Dalton for SPLOST Project 3.8. The agreement states that the City of Dalton shall assume all responsibility for the management and administration for one (1) particular project known as Project 3.8 Veterans Drive Extension. The motion was approved 4-0, with Commissioners Laughter, Brooker, Staten and Morehouse in agreement. **(SEE EXHIBIT "K")**

16. **Georgia Civil War Heritage Trails Signs Purchase:** Motion was made by Commissioner Staten and seconded by Commissioner Brooker to approve the proposal from Atlanta Creative Graphics to design and manufacture 1000+ signs for this project. The Georgia Civil War Heritage Trails project has been an ongoing project for more than 10 years during this time several dozen interpretive markers and several hundred trailblazer signs have been erected though out the state. These signs have been designed and manufactured by Atlanta Creative Graphics to meet the distinctive specs defined by the GCWHT Board. This purchase agreement represents the balance of the markers and signs to complete the Atlanta Campaign and March to the Sea projects. Installation of these markers will be under a separate contract. The motion was approved 4-0, with Commissioners Laughter, Brooker, and Morehouse in agreement.

PUBLIC COMMENT: There was no public comment.

Executive Session – Personnel: Motion was made by Commissioner Morehouse and seconded by Commissioner Staten to go into executive session to discuss Personnel Matters. Present for the meeting were Chairman Mike Babb, Commissioners Morehouse, Brooker, Staten and Laughter, County Attorney Robert Smalley, County Administrator

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Mark Gibson and County Clerk Blanca Cardona. The motion was approved 4-0, with Commissioners Morehouse, Brooker, Staten and Laughter in agreement.

ADJOURN Unanimous

MIKE BABB, CHAIRMAN
WHITFIELD COUNTY BOARD OF COMMISSIONERS

BLANCA CARDONA, COUNTY CLERK

DATE: / /