

MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, DECEMBER 14, 2015, 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
Roger Crossen, Member
Barry W. Robbins, Member

Others Present:

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

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

4 items were added from potential additional items; (1. Board Appointments – Whitfield County Historic Preservation Commission; appoint Greg Cockburn, John Hutcheson, Judy Alderman, and Janet Cochran to three year terms to expire December 2018 and re-appoint Bob McLeod to a three year term to expire December 2018, 2. Finance – October 2015 Financials, 3. Sheriff’s Office – 2016 Trane Service Agreement, 4. District Attorney – VOCA Grant)

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

Mrs. Carol Roberts was named the Whitfield County Employee of the Month for October 2015. Mrs. Roberts works in the Finance Department.

PUBLIC HEARING

Chairman Babb called for a Public Hearing to hear any comments or concerns the public may have regarding an application for a Malt/Wine Beverage Licenses for Food Mart located at 3385 Airport Road, Dalton, GA.

No comments or concerns were expressed during the hearing, Chairman Babb closed the hearing for the Malt Beverage/Wine Beverage License.

Chairman Babb then called for a Public Hearing on the 2016 Proposed Budget for Whitfield County.

Mrs. Tangel Johnson, Chair of the Dalton-Whitfield Library Board thanked the Board of Commissioners for their support with the Library’s budget. Mrs. Johnson noted that the Dalton-Whitfield Library is of great value in the Education and Workforce Development areas of the community. Mrs. Johnson further noted that extensive renovations have been done to the lower floor of the Library, which is now the Learning and Technology Training Center. The Center sees an average of 200 people per day for Workforce Development, which has plenty of computers for them to use and also a 3D printer. Mrs. Johnson also noted that the Library helps to fill the gap between those who do not have

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access to a computer with becoming familiar with computers or to use the various resources available to them.

No other comments or concerns were expressed during the hearing, and the public hearing for the 2016 proposed budget was closed.

BOARD APPOINTMENTS

1. **Re-appointment for Whitfield County Board of Health:** Motion was made by Commissioner Brooker and seconded by Commissioner Robbins to re-appoint Thomas Bartley to the Whitfield County Board of Health. Mr. Bartley's term will be for a six year term to expire December 31, 2021. The motion was approved 4-0, with Commissioners Brooker, Laughter, Crossen and Robbins in agreement.
2. **Re-Appointment to the Region One Planning Board of Behavioral Health and Developmental Disabilities:** Motion was made by Commissioner Brooker and seconded by Commissioner Robbins to re-appoint Mr. Nicky Starling to a three-year term on the Region One Planning Board of Behavioral Health and Developmental Disabilities to expire on January 31, 2019. The motion was approved 4-0, with Commissioners Brooker, Robbins, Crossen and Laughter in agreement.
3. **Re-Appointment to the Region One Planning Board of Behavioral Health and Developmental Disabilities:** Motion was made by Commissioner Brooker and seconded by Commissioner Robbins to re-appoint Pam Massingale to a three-year term on the Region One Planning Board of Behavioral Health and Developmental Disabilities to expire on October 30, 2018. The motion was approved 4-0, with Commissioners Brooker, Robbins, Crossen and Laughter in agreement.
4. Board of Equalization notification of the re-appointment of John Heard term to expire January 1, 2018, re-appointment of Denny Donnegan term to expire January 1, 2017, re-appointment of William O'Hearn term to expire January 1, 2018 and appointment of Eddie Hughes, term to expire January 1, 2016.
5. **Historic Preservation Commission** - Motion was made by Commissioner Brooker and seconded by Commissioner Robbins to appoint Greg Cockburn, John Hutcheson, Judy Alderman, Janet Cochran and re-appoint Bob McLeod to the Whitfield County Historic Preservation Commission for three-year terms, which will expire on December 31, 2018. The motion was approved 4-0, with Commissioners Brooker, Crossen, Robbins and Laughter in agreement.

APPROVAL OF MINUTES: Motion was made by Commissioner Brooker and seconded by Commissioner Robbins to approve the Regular Business Meeting Minutes of November 9, 2015, Budget Workshop Minutes of November 16, 2015, Budget Work Session Minutes of November 23, 2015, and Special Called Meeting Minutes of December 7, 2015. The motion was approved 4-0, with Commissioners Brooker, Crossen, Laughter, and Robbins in agreement.

FOR CONSIDERATION

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1. **Alcohol License Renewals - 2016:** Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to approve the 2016 Alcohol License Renewals contingent upon a clear criminal history and payment of fees. Exhibit "A" is a list of establishments currently in operation and holding a 2015 Alcohol License. There were not any reports of any violations regarding these establishments. The Accounting Department is 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 Brooker, Robbins, Laughter and Crossen in agreement. **(SEE EXHIBIT "A")**
2. **Alcohol Beverage License Application:** Motion was made by Commissioner Crossen and seconded by Commissioner Robbins to approve the Alcohol Application for a Malt Beverage/Wine License for Food Mart located at 3385 Airport Rd. Dalton. The motion was approved 4-0 with Commissioners Brooker, Robbins, Crossen and Laughter in agreement.
3. **Adoption of 2016 Budget:** Motion was made by Commissioner Crossen and seconded by Commissioner Robbins to move the 2016 Budget Adoption vote to a special called meeting to be held on December 28, 2015 at 6:00 P.M. The motion was approved, 4-0, with Commissioners Brooker, Laughter, Robbins and Crossen in agreement.
4. **September 2015 Financial Statements:** Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to approve the September 2015 Financial Statement as presented by Finance Director, Alicia Vaughn. In discussion Mrs. Vaughn reported that Local Option Sales Tax for September 2015 is \$874,153. The Local Option Sales Tax percentage for 2015 is 63.752%. Local Option Sales Tax for September 2015 show an decrease of 4.9% compared to Local Option Sales Tax Collections for September 2014, Local Option Sales Tax collections for September 2015 show a 0.6% increase from August 2015. Year to date actual Local Option Sales Tax collections for 2015 of \$7,760,788 show an decrease of 4.1% compared to actual Year to Date Local Option Sales Tax for 2014 \$8,094,367 for the same period. Year to date actual revenues of \$17,428,561 for September 2015 are over than year to date projected revenues of \$16,471,199 by 6%. Year to date actual expenditures of \$28,571,308 for September 2015 are less than year to date projected of \$30,134,457 by less than 5%. The County began collecting the TAVT Tax on March 1, 2014. Collections for September 2015 were around \$146,422. The motion was approved 4-0, with Commissioners Brooker, Laughter, Robbins and Crossen in agreement. **(SEE EXHIBIT "B")**
5. **October 2015 Financial Statements:** Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to approve the October 2015 Financial Statement as presented by Finance Director, Alicia Vaughn. In discussion Mrs. Vaughn reported that Local Option Sales Tax for October 2015 is \$843,931. The Local Option Sales Tax percentage for 2015 is 63.752%. Local Option Sales Tax for October 2015 show an decrease of 21.4% compared to Local Option Sales Tax Collections for October 2014, Local Option Sales Tax collections for October 2015 show a 3.5%% decrease from September 2015. Year to date actual Local Option Sales Tax collections for 2015 of \$8,604,719 show an decrease of 6.1% compared to actual Year to Date Local Option Sales Tax for 2014 \$9,168,132 for the same period. Year to date actual revenues of \$19,700,357 for October 2015 are over than year to date projected revenues of \$18,651,829 by 6%. Year to date actual expenditures of \$32,137,906 for October 2015 are less than year to date projected of \$33,328,465 by less than 4%. The County began collecting the TAVT Tax on March 1, 2014. Collections for October 2015 were around \$149,545. The motion

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was approved 4-0, with Commissioners Brooker, Laughter, Robbins and Crossen in agreement. **(SEE EXHIBIT "C")**

6. **Finance – Credit Card Resolution for Elected Officials:** Motion was made by Commissioner Laughter and seconded by Commissioner Crossen to approve a resolution regarding County issued credit cards. Georgia law prohibits counties from issuing credit cards to elected officials unless the governing authority of the county has authorized such issuance and has promulgated policies regarding their use as provided by law, and such credit cards shall only be issued to elected officials designated by the governing authority. The motion was approved 4-0, with Commissioners Brooker, Laughter, Robbins and Crossen in agreement. **(SEE EXHIBIT "D")**
7. **Deed of Gift Property Donation:** Motion was made by Commissioner Robbins and seconded by Commissioner Brooker to approve the property deed of gift from Praters Mill Farm, LLC. The property will be used for the next twenty years by the Sheriff's Department of Whitfield County as a firing range for the training of officers. If and in the event the land is not used by the Sheriff's Office as a firing range during the next twenty years the land shall revert back to Praters Mill Farm, LLC. The motion was approved 4-0, with Commissioners Robbins, Brooker, Crossen and Laughter in agreement. **(SEE EXHIBIT "E")**
8. **Deed of Gift Property Donation:** Motion was made by Commissioner Crossen and seconded by Commissioner Robbins to approve the gift of deed from the estate of Albert H. Griffin to be used as greenspace. The property adjoins the County owned property at Rocky Face Ridge. The motion was approved 4-0, with Commissioners Robbins, Brooker, Crossen and Laughter in agreement. **(SEE EXHIBIT "F")**
9. **Sheriff's Office –Security Fencing at Whitfield County Courthouse:** Motion was made by Commissioner Crossen and seconded by Commissioner Laughter to approve the low bid of Summit Fence at \$81,686 for Security Fencing at the Courthouse. The Whitfield County Sheriff's Office requested RFP's from public vendors to provide security fencing and gating at the West side of the parking area (judges parking lot) at the Courthouse. When completed this project will allow judges with officers on the West side of the structure to have a second parking lot. Also the gate system will allow entrance from remote opening systems in order to facilitate the free flow of traffic. The motion was approved 4-0, with Commissioners Brooker, Laughter, Crossen and Robbins in agreement.
10. **2016 Service Agreement for Jail HVAC:** Motion was made by Commissioner Robbins and seconded by Commissioner Laughter to approve the 2016 Service Agreement for \$15,153.60, with Trane of Chattanooga. There is an option of a 3% discount of \$454.61 if the full payment of a year in advance is received or \$1,262.80 on a monthly basis. The motion was approved 4-0, with Commissioners Brooker, Laughter, Crossen and Robbins in agreement. **(SEE EXHIBIT "G")**
11. **County Employee 457b Defined Compensation Pension:** Motion was made by Commissioner Robbins and seconded by Commissioner Laughter to direct Human Resources and Finance staff to look into different options for a County pension plan. The staff will report back to the Board with the information as soon as possible. The motion was approved 4-0, with Commissioners Brooker, Laughter, Crossen and Robbins in agreement.
12. **District Attorney – Memorandum of Agreement:** Motion was made by Commissioner Crossen and seconded by Commissioner Laughter to approve the DA's MOU to transition from the State Paid County Reimbursed Contract, funding the DA's office County payroll through

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future budget cycles, and providing certainty to all parties including current and future employees of the DA's office. The motion was approved 4-0, with Commissioners Robbins, Crossen, Laughter and Brooker in agreement. **(SEE EXHIBIT "H")**

13. **Ratify DA's Office – VOCA Grant:** Motion as made by Commissioner Crossen and seconded by Commissioner Laughter to approve an additional VOCA Grant of \$55,000 from the State of Georgia Prosecuting Attorney's Council of Georgia. The motion was approved 4-0, with Commissioners Brooker, Laughter, Crossen and Robbins in agreement. **(SEE EXHIBIT "I")**
14. **City of Dalton Annexation Request – 13-048-09-000:** Motion was made by Commissioner Robbins and seconded by Commissioner Laughter for no land use classification objection to the City of Dalton concerning tax parcel 13-048-09-000. The motion was approved 4-0 with Commissioners Brooker, Laughter, Robbins and Crossen in agreement.
15. **Tennessee Valley Regional Communications System – Memorandum of Agreement:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve the MOU and become members of the Tennessee Valley Regional Communications Systems which includes counties from Tennessee and Georgia. The primary purpose of the 2008 Interlocal Cooperation Agreement was to implement a region P25 Standards Based Trunking System in east Tennessee and northwest Georgia using the 700/800 megahertz radio frequency, to facilitate communications interoperability among emergency and other public service agencies, enabling public safety resources to be efficiently coordinated and expeditiously employed in emergency and other public service situations. The motion was approved 4-0, with Commissioners Robbins, Crossen, Laughter and Brooker in agreement. **(SEE EXHIBIT "J")**
16. **EMA – P25 System Expansion Contract:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve the purchase of the Motorola P25 System Expansion in the amount of \$6,711,448 to include four site eight channel simulcast cells. One existing site (Dug Gap Mtn) and three new green tower site locations (E911, North and South sites) will include the civil work, tower, building, UPS and generators. This purchase will come out of the 2015 SPLOST funds that were approved March 2015 by the County of Whitfield. The motion was approved 4-0, with Commissioners Brooker, Robbins, Crossen and Laughter in agreement. **(SEE EXHIBIT "K")**
17. **Emergency Management Services Agreement:** Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to approve the Emergency Medical Services agreement between the Whitfield County Board of Commissioners and Hamilton Emergency Medical Services, Inc. The motion was approved 4-0, with Commissioners Brooker, Laughter, Robbins and Crossen in agreement. **(SEE EXHIBIT "L")**
18. **IT – United Way IT Agreement:** Motion was made by Commissioner Robbins and seconded by Commissioner Laughter to approve the agreement between the United Way of Northwest Georgia, Inc., and Whitfield County for IT support. The United Way will pay a total fee of \$5,500 annually in equal monthly installments to Whitfield County. The motion was approved 4-0, with Commissioners Laughter, Brooker, Crossen and Robbins in agreement. **(SEE EXHIBIT "M")**
19. **Indigent Funeral Policy:** Motion was made by Commissioner Laughter and seconded by Commissioner Crossen to amend Chapter 10 of the Whitfield County Code of Ordinances, entitled

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Offenses and Miscellaneous Provision, by repealing in its entirety current Section 10-6, captioned "Indigent Funeral Policy," and to replace therewith a new section 10-6 with the same caption, to provide for guidelines and circumstances under which Whitfield county shall reimburse a portion of costs associated with final arrangements for indigent persons. Whitfield County shall reimburse actual expenses incurred, up to a maximum of \$450.00 per indigent decedent. The motion was approved 4-0, with Commissioners Brooker, Laughter, Robbins and Crossen in agreement. **(SEE EXHIBIT "N")**

20. **Tax Assessors – Declaration of Surplus Vehicle:** Motion was made by Commissioner Crossen and seconded by Commissioner Robbins to surplus a 1993 Jeep Cherokee and to be put on GovDeals.com. The proceeds will be put into the general fund. The motion was approved 4-0, with Commissioners Brooker, Crossen, Robbins, and Laughter in agreement.
21. **Rezoning Recommendation:** Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to approve the request of Mack Bilbrey and Marvin Ray Huff to rezone two tracts totaling 2.02 acres from general Commercial (C-2) to Rural Residential (R-5); the property is addressed as 1264 and 1274 Presley Road, Dalton, GA. The Planning Commission has recommended that the Board approve the rezoning. The motion was approved 4-0, with Commissioners Brooker, Robbins, Crossen and Laughter in agreement.
22. **Rezoning Recommendation:** Motion was made by Commissioner Robbins and seconded by Commissioner Brooker to approve the request of Daniel Cochran to rezone 6.05 acres from General Agriculture (GA) to Rural Residential (R-5); the property is located along the north side of Riverdale Road, Dalton, GA. The Planning Commission has recommended that the Board approve the rezoning. The motion was approved 4-0, with Commissioners Brooker, Robbins, Crossen and Laughter in agreement.
23. **Special Use Permit – Skyway Towers:** Motion was made by Commissioner Crossen and seconded by Commissioner Laughter to approve the Special Use permit request of Kiersten Lurer for Skyway Towers to erect and operate a Telecommunications Tower in the Rural Residential (R-5) Zone District, the site lies along the east R/W of Miracle Drive. The Board approved the issuance of the Special Use Permit with the following conditions; 1) signage in any form related to the tower and facilities, shall be prohibited adjacent to the R/W of Miracle Field; 2) any signage on the security fence at the base of the tower shall be limited only to tower name or ownership applicable safety warnings and contact phone numbers local or otherwise that are answerable 24 hours a day, seven days a week, the sign if secured on the fence or gate shall be mounted on the inside of the fence or gate; 3) the maximum height of 185 feet with an additional lightning rod of 10-feet plus brown color for the tower and beige color for the antennas is accepted as proposed and; 4) the buffer width seems inadequate in width inside the proposed lease area of 60 feet by 100 feet but also seems to provide little ability to widen such buffer given the needed accommodation to serve the equipment of four co-locations (50 feet by 90 feet) fenced. The buffer should be planted with an evergreen shrub (Nellie R. Stevens holly or equivalent) that can obtain a height of six (6) feet to screen the security fence because the existing timberland can be cleared at any time. The motion was approved 4-0, with Commissioners Laughter, Robbins, Brooker and Crossen in agreement.
24. **Public Works – Declaration of Surplus Vehicles:** Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to surplus a 1991 International Tandem Dump and a 1996 Ford F-700 Single Axle Dump and to be put on GovDeals.com. The proceeds will be put

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into the general fund. The motion was approved 4-0, with Commissioners Brooker, Crossen, Robbins, and Laughter in agreement.

25. **Public Works Department 2016 Bids:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve all of the following Public Works bids for 2016. The motion was approved 4-0, with Commissioners Laughter, Brooker, Crossen and Robbins in agreement.

- a. Crushed Stone – Public Works bid out crushed stone to be used in the Public Works Department and only received one bid form Vulcan Material in the amount of \$219.47. The Commissioners accepted the bid.
- b. Tongue & Groove Concrete Pipe - Public Works bid out tongue and groove concrete pipe. Forterra was the low bidder for these items in the amount of \$727.66. The Commissioners accepted the bid.
- c. Lubricant – Public Works also received bids on lubricant to be used in the Public Works Department. Southern Lube and Fuels was the low bidder on most of the items used in the daily operations of Public Works and the Commissioners accepted the bid from Southern Lube and Fuels in the amount of \$17,682.50.
- d. Single and Double Headwall Concrete – Public Works bid out single and double headwall concrete. Access concrete was the lowest bidder for the 18’ – 36’ headwalls with the 42’-72’ headwalls being mostly project related items. The bid was accepted in the amount of \$30,830. The Commissioners accepted the bid.
- e. Fuel and Gasoline – Public Works also received bids on Gasoline and Diesel to be used in the Public Works Department. JAT Fuels was the low bidder for gasoline in the amount of \$1.8454 per gallon and Sweetwater Valley Oil Co. was the low bidder for Diesel in the amount of \$1.6009 per gallon. The Commissioners accepted the bid.
- f. Road Striping – Public Works bid out road striping to be used in the Public Works Department. Parker Traffic Marking was the lowest bidder. The Commissioner accepted the bid.
- g. Underground Precast Structure – Public Works bid out Underground precast structures to be used in the Public Works Department. Forterra was the low bidder in the amount of \$3,258. The Commissioners accepted the bid.
- h. Concrete and Concrete Accessories – Public Works only received one bid from Murray Mix, in the amount of \$996.75. The Commissioners accepted the bid.
- i. Casting Frames and Grates – Public Works bid out Casting frames and Grates to be used in the Public Works Department. Hayes Pipe Supply was the low bid in the amount of \$8,674.35. The Commissioners accepted the bid.
- j. Rental of Tandem Truck and Operator – Public Works bid out the rental of a Tandem Truck and Operator to be uses in the Public Works Department. Jackson Trucking was the low bidder in the amount of \$245.00. The Commissioners accepted the bid.

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PUBLIC COMMENT

Ms. Chelsea Sitler came before the Board to speak about traffic safety in the Raider Drive Subdivision. Ms. Sitler also spoke at the November 14, 2015 regular business meeting. The Public Works conducted a traffic study on Raider Drive and the average speed at the 85th percentile was 28 MPH. The speed limit on the road is 25 MPH. Commissioner Brooker recommended that Ms. Sitler start a petition of the residents of the subdivision who would be in favor of speed humps, Ms. Sitler said she would work on getting one started and would return when it's completed.

There were no more public comments.

ADJOURN Unanimous

MIKE BABB, CHAIRMAN
WHITFIELD COUNTY BOARD OF COMMISSIONERS

BLANCA CARDONA, COUNTY CLERK

DATE: / /