

**MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, MAY 11, 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  
Citizens  
Department Heads  
Press

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

**Mr. Christopher Cline was named the Whitfield County Employee of the Month for March 2015. Mr. Cline works in the 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 a Malt Beverage License for CS Grocery located at 877 Reed Pond Rd NW. No comments or concerns were expressed in the Public Hearing so Chairman Babb closed the hearing.

**PROCLAMATIONS**

- 1. National Public Works Week:** Motion was made by Commissioner Robbins and seconded by Commissioner Brooker to proclaim the week of May 17-23, 2015 as National Public Works Week in Whitfield County, Georgia. The motion was approved 4-0, with Commissioners Brooker, Laughter, Crossen and Robbins in agreement. **(SEE EXHIBIT "A")**
- 2. Food Allergy Awareness Week:** Motion was made by Commissioner Brooker and seconded by Commissioner Robbins to proclaim the week of May 10 - 16, 2015 as Food Allergy Awareness Week in Whitfield County, Georgia. Ms. Julie Sane of No Nuts Moms Group of Dalton was present to receive the proclamation. Ms. Sane 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, Robbins, Laughter and Crossen in agreement. **(SEE EXHIBIT "B")**

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- 3. Foster Care Month** – Motion was made by Commissioner Crossen and seconded by Commissioner Laughter to proclaim May, 2015 as Foster Care Month in Whitfield County, Georgia. The motion was approved 4-0, with Commissioners Crossen, Brooker, Robbins and Laughter in agreement. **(SEE EXHIBIT “C”)**

**APPROVAL OF MINUTES:** Motion was made by Commissioner Laughter and seconded by Commissioner Crossen to approve the Regular Business Meeting Minutes of April 13, 2015. The motion was approved 4-0, with Commissioners Crossen, Laughter, Brooker and Robbins in agreement.

**APPROVAL OF CORRECTED MINUTES:** Motion was made by Commissioner Robbins and seconded by Commissioner Brooker to approve the Correction of the January 12, 2015 Regular Business Meeting Minutes. The motion was approved 4-0, with Commissioners Crossen, Laughter, Brooker and Robbins in agreement

**FOR CONSIDERATION**

- 1. Malt Beverage License – CS Grocery:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve the Malt Beverage License for CS Grocery located at 877 Reed Pond Rd NW. The motion was approved 4-0, with Commissioners Brooker, Laughter, Crossen and Robbins in agreement.
- 2. Amendment to the Dalton-Whitfield Joint Development Authority Intergovernmental Agreement:** Motion was made by Commissioner Crossen and seconded by Commissioner Robbins to approve the First Amendment to the Intergovernmental Agreement between the Dalton-Whitfield Joint Development Authority and Whitfield County. The Authority and County previously entered into contract on October 30, 2013. The Amendment amends Section 6.01 by adding the following sentence at the end of such section; “Notwithstanding the foregoing, the amount payable to the Authority on March 15, 2015, pursuant to Section 2.3(a) of the PILOT Agreement, shall not be assigned to the County and shall be retained by the Authority. Such amounts shall be used by the Authority for any of its authorized purposes. The Authority shall direct the Company and the Operator to make such payment directly to the Authority.” The motion was approved 4-0, with Commissioners Brooker, Crossen, Robbins and Laughter in agreement. **(SEE EXHIBIT “D”)**
- 3. Merit Board Policy Update:** Motion was made by Commissioner Brooker and Seconded by Commissioner Crossen to update the Merit Board Policy as approved by the Merit Board. In discussion Ms. Jackie Carlo, Human Resources Director for Whitfield County, stated that the following updates were made; clarified some areas of PTO usage, FMLA sections were updated to reflect the most recent changes in the law, family member employment verification, probationary period extended to up to twelve (12) months for Detention and 911 Telecommunicators and grammar corrections. The motion was approved 4-0, with Commissioners, Brooker, Laughter, Crossen and Robbins in agreement. **(SEE EXHIBIT “E”)**

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4. **Resolution – Safety Coordinator:** Motion was made by Commissioner Crossen and seconded by Commissioner Robbins to approve a resolution establishing the position of Safety Coordinator in Whitfield County. The Safety Coordinator will establish and oversee a safety program to assist with the loss prevention efforts of the County. The Safety Coordinator can ensure qualifications have been met that will enable the County to receive a substantial discount on their insurance costs. The motion was approved 4-0, with Commissioners Crossen, Robbins, Brooker and Laughter in agreement. **(SEE EXHIBIT “F”)**
5. **IT – Cisco Support Renewal:** Motion was made by Commissioner Laughter and seconded by Commissioner Brooker to renew the Cisco SMARTnet support through Prosys for \$31,074.61. 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. The motion was approved 4-0, with Commissioners Laughter, Brooker, Crossen and Robbins in agreement
6. **IT – Department Declaration of Surplus Vehicle:** Motion was made by Commissioner Laughter and seconded by Commissioner Crossen to surplus a 1998 Ford Expedition 4WD with 240,901 miles and to be placed on GovDeals.com. The motion was approved 4-0, with Commissioners Brooker, Crossen, Robbins, and Laughter in agreement.
7. **Resolution – Bond Bid:** Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to approve the Resolution approving and ratifying the best bid received for the purchase of the Dalton-Whitfield Joint Development Authority taxable refunding revenue bond. The Series 2010B bond was issued to pay for the land at Carbondale Park, six bids were received and reviewed and at the County’s determination the best bid submitted was by First Tennessee Bank. The motion was approved 4-0, with Commissioners Brooker, Robbins, Crossen and Laughter in agreement. **(SEE EXHIBIT “G”)**
8. **March 2015 Financial Statements:** Motion was made by Commissioner Robbins and seconded by Commissioner Laughter to approve the March 2015 Financial Statements as presented by Finance Director, Alicia Vaughn. In discussion, Mrs. Vaughn reported that Local Option Sales Tax for March 2015 is \$892,390. The Local Option Sales Tax percentage for 2015 will be 63.752%. The Local Option Sales Tax for March 2015 show a decrease of 4.2% compared to Local Option Sales Tax Collections for March 2014; Local Option Sales Tax collections for March 2015 show a 9% increase from February 2015. Year to date Local Option Sales Tax collections of \$2,555,855 through March 2015 are down 3.3% compare to Year to Date 2014 collections, Year to date actual revenues of \$6,530,930 for March 2015 are less than year to date projected revenue \$6,462,372 by 1%. Year to date actual expenditures of \$9,102,734 for March 2015 are less than year to date projected of \$10,106,495 by less than 10%. TAVT collections for

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March 2015 were \$206,941. The motion was approved 4-0, with Commissioners Crossen, Laughter, Brooker and Robbins in agreement. **(SEE EXHIBIT "H")**

9. **Finance – Adopt Investment Policy:** Motion was made by Commissioner Brooker and seconded by Commissioner Robbins to Adopt the Whitfield County Investment Policy as presented by Finance Director Alicia Vaughn. In discussion Mrs. Vaughn noted that a written investment policy is an important element in a public funds investment program. This policy provides a framework and guidance to the finance staff for the purpose of investing the county's excess funds in order to maximize interest income while preserving principal and maintaining sufficient liquidity to meet expenditure obligations. This policy addresses important areas of concern to include; Investment Objectives and Strategy, Legal Limitations and Delegation of Authority, Internal Controls, Authorized Investments, Authorized Financial Institutions and Safekeeping and Collateralization. The motion was approved 4-0, with Commissioners Laughter, Brooker, Robbins and Crossen in agreement. **(SEE EXHIBIT "I")**
10. **Public Works Department Declaration of Surplus Vehicle/Equipment:** Motion was made by Commissioner Brooker and seconded by Commissioner Robbins to surplus equipment and several vehicles in the Whitfield County Fleet program that have past their life cycle or are being eliminated from the Fleet inventory. These Units are now ready to be declared surplus and be approved to be sold on gov.deals.com. Attached is a listing of these ten (10) items and the status of elimination or replacement from each department with surplus vehicles or equipment. The motion was approved 4-0, with Commissioners Brooker, Crossen, Robbins, and Laughter in agreement. **(SEE EXHIBIT "J")**
11. **Buildings and Grounds – Eastbrook Gym Roof Bid:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to accept the low bid of \$196,800 plus any add on for under layment from JDH Co. Chattanooga TN. Whitfield County owns the Eastbrook Gym located at 700 Hill Rd. The base bid covers all items with the exception of any damage to the under layment which will be extra. The Roofing will be a Firestone produce UltraPly TPO. The motion was approved 4-0, with Commissioners Brooker, Crossen, Robbins and Laughter in agreement.
12. **City of Varnell Annexation Request – 11-224-03-000:** Motion was made by Commissioner Crossen and seconded by Commissioner Brooker for no land use classification objection to the City of Varnell concerning tax parcel number 11-224-03-000. For this parcel the City of Varnell proposed a zoning change from County R-2 to Varnell R-1. The motion was approved 4-0, with Commissioners Brooker, Laughter, Robbins and Crossen in agreement
13. **City of Dalton Annexation Request – 12-311-21-008:** Motion was made by Commissioner Brooker and seconded by Commissioner Laughter to table this annexation request for no land use classification objection to the City of Dalton concerning tax parcel number 12-311-21-008 until the City of Dalton provides the County a letter from the owners of the parcel that they are aware of how much their

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taxes will go up. The motion was approved 4-0, with Commissioners Brooker, Laughter, Robbins and Crossen in agreement.

14. **Rezoning Recommendation:** Motion was made by Commissioner Crossen to accept the rezoning request of North Mini-Warehouses, LLC to rezone .34 acres from Single-Family Residential (R-2) to General Commercial (C-2) the property is addressed as 105 Roland Hills, Dalton, Georgia, parcel 12-051-39-007, the motion died due to a lack of a second. Motion was then made by Commissioner Brooker and seconded by Commissioner Laughter to deny the rezoning request. Commissioner Crossen noted that this building has been there before zoning was in effect, if this building would have been rezoned C-2 when the zoning ordinance took effect this would not be an issue. Commissioner Laughter stated that this building is not being used now for what it was back in 1993 when the zoning ordinance took effect. The motion to deny the request was put to a vote with Commissioners Brooker and Laughter to deny the request and Commissioners Crossen and Robbins were against denying the request, Chairman Babb votes when there is a tie. Chairman Babb voted to disapprove the denial making it 3-2, there was no action taken on the rezoning request. Motion was then made by Commissioner Crossen and seconded by Commissioner Robbins to approve the rezoning request. The motion was put to a vote with Commissioners Robbins and Crossen in approval of the rezoning request and Commissioners Brooker and Laughter against the rezoning request. Chairman Babb voted to deny the motion to change the zoning to C-2, making it 3-2. No action was taken at the meeting, therefore the request to rezone fails. County Attorney Robert Smalley noted that Board of Commissioners were asked to approve a rezoning request and that the rezoning request was not granted by the Board of Commissioners.
  
15. **Resolution of Support – Meadowlark Place L.P.:** Motion was first made by Commissioner Brooker and seconded by Commissioner Laughter to issue a Resolution and Letter of Support to the Meadowpark Place L.P. c/o Jerry Braden for their proposed new construction to use the site to build eighty affordable-living apartment homes for Senior Citizens in Whitfield County. The proposed apartments would be located off of Cleveland Hwy, Dalton, GA on tax parcel 12-102-11-000. Meadowlark Place L.P. is located in Summerville, Georgia and seeks to rehabilitate sites of this nature by applying to the Georgia Department of Community Affairs for Low Income Housing Tax Credit and/or financing through the HOME Investment Partnerships Program. The motion was approved 4-0, with Commissioners Brooker, Laughter, Crossen and Robbins agreement. **(SEE EXHIBIT “K”)**
  
16. **Resolution – To sell County Property – Old Health Department:** Motion was made by Commissioner Crossen and seconded by Commissioner Robbins to adopt a Resolution to sell Whitfield County Real Property. This resolution was previously approved on November 10, 2014, however the Meals on Wheels program is also ran out of the same property. In the description of property the resolution has added “LESS AND EXCEPT THE WEST 130 FEET THEREOF”, to be retained by the County so the Meals on Wheels program can continue. The motion was approved 4-0, with Commissioners Brooker, Crossen, Robbins and Laughter in agreement. **(SEE EXHIBIT “L”)**

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**PUBLIC COMMENT**

There were no public comments.

**Executive Session – Property Acquisition:** Motion was made by Commissioner Robbins and seconded by Commissioner Crossen to go into executive session to discuss Property Acquisition. The motion was approved 4-0, with Commissioners Crossen, Brooker, Robbins and Laughter in agreement. Present for the meeting were Chairman Mike Babb, Commissioners Robbins, Brooker, Crossen and Laughter, County Attorney Robert Smalley, Recreation Director Brian Chastain, County Administrator Mark Gibson and County Clerk Blanca Cardona.

Motion was then made by Commissioner Robbins and seconded by Commission Crossen to come out of Executive Session. The motion was approved 4-0, with Commissioners Robbins, Brooker, Laughter and Crossen in agreement.

**ADJOURN** Unanimous

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MIKE BABB, CHAIRMAN  
WHITFIELD COUNTY BOARD OF COMMISSIONERS

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BLANCA CARDONA, COUNTY CLERK

DATE: / /