

MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, DECEMBER 12, 2016 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
County Attorney, Robert Smalley
Department Heads
Press
Citizens

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

2 items were added from the potential additional items; (1. E911 – VIPER Call Handling System, 2. TVA Detention Pond Modification – Change Order No. 1)

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

Mr. Charles Meadors was named the Whitfield County Employee of the Month for October 2016. Mr. Charles Meadors works in the Whitfield County Sheriff's Office.

SPECIAL PRESENTATION

Government Finance Officers Association -Distinguished Budget Presentation Award: Chairman Babb presented Finance Director, Alicia Vaughn with the GFOA'S Distinguished Budget Presentation Award that was awarded to Whitfield County for its budget. This award is the highest form of recognition in governmental budgeting and represents significant achievement by Whitfield County. The award reflects the commitment of the governing body and staff to meeting the highest principles of governmental budgeting. The Board congratulated Mrs. Vaughn and staff for their achievement.

BOARD APPOINTMENTS

- 1. Reappointment for Whitfield County seat on Region 1 EMS Council:** Motion was made by Commissioner Brooker and seconded by Commissioner Robbins to reappoint Edward O'Brien to the Northwest Georgia Region 1 seat of the Emergency Medical Services Council. The seat is for a two year term ending January 2019. The motion was approved 4-0, with Commissioners Brooker, Laughter, Crossen and Robbins in agreement.
- 2. Re-appointment for Whitfield County Board of Health:** Motion was made by Commissioner Brooker and seconded by Commissioner Robbins to re-appoint Bruce Broadrick to the Whitfield County Board of Health. Mr. Broadrick's term will be for a six (6) year term to expire December 31, 2022. The motion was approved 4-0, with Commissioners Brooker, Laughter, Crossen and Robbins in agreement.

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- 3. Whitfield County Historic Preservation Commission** - Motion was made by Commissioner Brooker and seconded by Commissioner Robbins to re-appoint Dr. William Blackman and appoint Andy Carlson to a three (3) year term to expire on December 31, 2019, re-appoint Robert Jenkins and Kathryn Sellers to a one (1) year term to expire on December 31, 2017, to the Whitfield County Historic Preservation Commission. The motion was approved 4-0, with Commissioners Brooker, Crossen, Robbins and Laughter in agreement.

APPROVAL OF MINUTES: Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to approve the Regular Business Meeting Minutes of November 14, 2016, Work Session Minutes of November 28, 2016, the Dalton-Whitfield Planning Commission Minutes of November 28, 2016 and the Minutes of the Budget Public Hearing of December 5, 2016. The motion was approved 4-0, with Commissioners Crossen, Brooker, Laughter and Robbins in agreement.

PUBLIC HEARING

2017 Budget Public Hearing

Chairman Babb opened the 2017 Budget Public Hearing. Chairman Babb noted that per state law only one public hearing is required however the Board has already had a budget public hearing on December 5, 2016, and that this will be the second public hearing. Chairman Babb further noted that it had been advertised that the 2017 budget would be adopted during this meeting, however the Board has decided to move the date to December 19, 2016 at 11:00 A.M. Chairman Babb also noted that the Board would hold a budget workshop on December 14, 2016 at 6:00 P.M. and is open to the public.

Finance Director Alicia Vaughn went over a 2017 proposed budget presentation to the citizens and members of the Board. Vaughn noted that general fund revenues for the County will be \$45 million with expenditures being \$45 million, also the Special Tax Districts show revenues of \$53 million with expenditures of \$53 million showing a balanced budget for 2017. Vaughn noted that there is a \$2.2 million deficit in the 2016 budget that would be paid for out of the general fund balance. Vaughn went over some of the 2016 vs. 2017 changes in expenditures to include; DA-new grant funded positions plus benefits, Tax Assessor-personal property audit, MPO-consulting, Public Works-2017 LMIG increase plus match. Vaughn also went over some changes in the 2016 vs. 2017 change in revenues to include; millage rate increase, LMIG-increase in funding, VOCA/VAWA grants-increase in funding. Vaughn noted the Board funded pension in the 2015 budget but not for 2016's budget. Vaughn stated that the 2017 proposed budget includes a 100% pension contribution. Vaughn noted that the 2017 proposed budget shows a total of \$1.2 million in general fund capital projects. Vaughn further noted that the 2017 proposed budget includes public safety and employee pay adjustments, during the last eight years that County's employees have received only two pay adjustments and retaining trained and skilled personnel helps Whitfield County remain competitive with surrounding areas. Vaughn also noted that Whitfield County has a low spending per capita among the surrounding counties with a comparable population. Vaughn went over the sales tax history for previous years, the LOST agreement that became effective January 1, 2013 was reduced from 64.850% to 63.752%, in 2017 the LOST percentage will be 62.653%. Vaughn further noted that the \$608,000 from the general fund will be used to cover the 2017 budget deficit to the 911 fund balance.

Mr. John Didier came before the Board to speak. Mr. Didier commented on the ability for the taxpayers to fund the 2017 budget including the pay adjustments for County employees. Mr. Didier stated that the Board not include the pay adjustments for the 2017 budget.

Mr. Marshall Mauldin asked the Board why the Milling machine was not in capital projects. The Board advised him that the milling machine would be paid out of the SPLOST funds.

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Mr. Phillip Neff came before the Board to speak. Mr. Neff noted that the City and County residents are taxed enough.

Mrs. Cathy Holmes came before the Board to speak. Mrs. Holmes noted that the County needs to reduce spending.

Mr. David Pennington came before the Board to speak. Mr. Pennington suggested to the Board to table the 2017 budget, pass a continuation of 2016's budget, and reallocate the SPLOST funds.

Mr. Daryl Long came forward to speak to the Board. Mr. Long noted that the Board should not fund the Technical College expansion project.

Mr. Jevin Jensen came before the Board to speak. Mr. Jensen suggested to the Board about creation of a centralized purchasing function and a finance committee for Whitfield County.

Mr. Rob Bradham came before the Board to speak. Mr. Bradham noted that the funding of the Technical College is a great asset for Whitfield County due to the training it will provide to the County's workforce for today's industry.

Mr. Daryl Long came forward to speak to the Board. Mr. Long noted that not approving the County employees pay adjustments is not where the Board should reduce costs.

Mr. Van Roberts suggested that the podium in the meeting room to be turned around to face the audience. Mr. Roberts also noted that 911 service in the City of Dalton is very good.

There being no other comments or questions, Chairman Babb declared the public hearing closed.

FOR CONSIDERATION

1. **Ordinance – Meetings of the Board of Commissioners (Administration):** Motion was made by Commissioner Laughter and seconded by Commissioner Crossen to approve the amendment to Article IV of Chapter 2 of the Code of Ordinances, Whitfield County captioned Meetings by repealing the entire existing Article IV and replacing with a new Article IV, now to be captioned Meetings of the Board of Commissioners. The motion was approved 4-0, with Commissioners Crossen, Robbins, Laughter and Brooker in agreement. **(SEE EXHIBIT "A")**
2. **Alcohol License Renewals - 2017:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve the 2017 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 2016 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 "B")**

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3. **October 2016 Financial Statements:** Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to approve the October 2016 Financial Statements as presented by Finance Director, Alicia Vaughn. In discussion, Mrs. Vaughn reported that Local Option Sales Tax for October 2016 is \$822,758, the LOST percentage for 2016 is 63.752%. (September collections were \$305,843 due to a vendor refund) Local Option Sales Tax for October 2016 show a decrease of 2.5% compared to Local Option Sales Tax Collections for October 2015; Local Option Sales Tax collections for October 2016 show an increase of 169% September 2016. Had the large refund not occurred last month the increase would be 1.5%. Year to date 2016 Local Option Sales Tax collections of \$7,692,937 are down 10.6% compared to year to date 2015 collections of \$8,604,719. If the September refund had not occurred, the year to date 2016 collections would be down by 4.7%. Year to date actual revenues of \$18,866,774 for October 2016 are slightly under year to date projected revenue \$19,331,018 by less than 2%. Year to date actual expenditures of \$32,201,507 for October 2016 are under year to date projected expenditures of \$34,099,084 by 5%. TAVT collections for October 2016 were \$121,312, budget revenues were \$170,000, based on the year 2012 Collections on the old system the TAVT collections through September 2016 are under 4%. The motion was approved 4-0, with Commissioners Brooker, Crossen, Laughter and Robbins in agreement. **(SEE EXHIBIT “C”)**

4. **Finance – Revised Credit Card Services agreement with Government Window:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to ratify the revised agreement with Government Window for Credit Card services. Government Window is a company that offers credit card payment solutions to local governments. There is no cost to the County but there is a 5% charge added to any payment made by a citizen to have the ability to pay with a credit card. This fee covers the cost of the administrative burden of processing the card and the discount rate charge by the credit card process to Government Window. There have been many citizen requests to have the ability to pay with credit cards. The departments will make the citizens aware of the 5% charge to use a credit card and the citizens will still be able to pay with cash and checks. This revised agreement is removing the recreation department, who has chosen another vender for their credit card services. The motion was approved 4-0, with Commissioners Robbins, Brooker, Crossen and Laughter in agreement. **(SEE EXHIBIT “D”)**

5. **Sheriff’s Department – Continuation of Jail Food Services Contract:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve the continuation of the Jail food services contract with Trinity Food Services Group Inc. with no increase to the current per meal price of \$1.104. This contract covers food, contracted labor and the administration of the food services program at the facility. Said contract will expire on December 31, 2017. The motion was approved 4-0, with Commissioners Laughter, Brooker, Crossen and Robbins in agreement. **(SEE EXHIBIT “E”)**

6. **Resolution – Appointment to the Whitfield County Board of Tax Assessors:** Motion was made by Commissioner Robbins and seconded by Commissioner Crossen to appoint Michael Brumlow to the Whitfield County Board of Tax Assessors to fill the un-expired term of Wayne Burgess, which will expire June 30, 2018. The motion was approved 4-0, with Commissioners Brooker, Crossen, Laughter and Robbins in agreement. **(SEE EXHIBIT “F”)**

7. **Board of Tax Assessors – Surplus Vehicle:** Motion was made by Commissioner Crossen and seconded by Commissioner Robbins to surplus a 2002 Chevy S-10, due to mechanical issues, age of vehicle and high mileage it would not be cost effective to repair the vehicle for

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continued use. This vehicle will be replaced with a new vehicle. The motion was approved 4-0, with Commissioners Brooker, Crossen, Robbins and Laughter in agreement.

8. **Board of Tax Assessors – Vehicle Purchase:** Motion was made by Commissioner Crossen and seconded by Commissioner Robbins to approve the bid of Brooker Ford for a 2017 F-150 for \$22,490. Bids were accepted for a new vehicle for the Assessor's, the following bids were received; Brooker Ford, \$22,490, Brooker Ford, \$23,675, Ginn Chrysler Jeep Dodge, LLC. \$33,565, Langdale Chevrolet, \$23,117 and Auto Nation Chevrolet, \$24,045. The motion was approved 4-0, with Commissioners Brooker, Robbins, Crossen and Laughter in agreement.
9. **Acceptance of Property Deed of Gift Property – Town of Cohutta:** Motion was made by Commissioner Brooker and seconded by Commissioner Laughter to approve the property deed of gift from the Town of Cohutta. The property will be used for a new fire station. The motion was approved 4-0, with Commissioners Robbins, Brooker, Crossen and Laughter in agreement. **(SEE EXHIBIT "G")**
10. **EMA Performance Grant:** Motion was made by Commissioner Crossen and seconded by Commissioner Robbins to approve and accept the FY-2016 Emergency Management Performance Grant from GEMA in the amount of \$30,780.00. This grant is awarded on annual basis to each County that participates in the Partnership Grant as Whitfield County does. The grant has 50 percent match requirement that will be met through current salaries and is in the budget as income. The motion was approved 4-0, with Commissioners Brooker, Crossen, Robbins and Laughter in agreement.
11. **Probate Court – Private Probation Services Contract:** Motion was made by Commissioner Laughter and seconded by Commissioner Crossen to enter into contract with Georgia Probation Services, Inc. for probation services for defendants convicted in the Whitfield County Probate Court. The motion was approved 4-0, with Commissioners Brooker, Laughter, Crossen and Robbins in agreement. **(SEE EXHIBIT "H")**
12. **Whitfield County Soil Erosion, Sedimentation and Pollution Control Ordinance:** Motion was made by Commissioner Robbins and seconded by Commissioner Laughter to approve the amendment to the Whitfield County Soil Erosion and Sedimentation Control Ordinance by repealing the existing ordinance in its entirety and replacing therewith the following ordinance, re-stated and re-titled as new Article IV of Chapter 5 of the Whitfield County Code of Ordinances, and for other purposes. The motion was approved 4-0, with Commissioners, Brooker, Laughter, Crossen and Robbins in agreement. **(SEE EXHIBIT "I")**
13. **Stormwater Local Design Manual Update:** Motion was made by Commissioner Laughter and seconded by Commissioner Crossen to approve the update to the Stormwater Local Design Manual Update. Several changes have been made to reflect the revisions to the 2016 Georgia Stormwater Management Manual, update to water quality section to match the 2016 Georgia Stormwater Management Manual (GSMM). The 2016 GSMM gives the option of meeting the water quality requirements by infiltration, change "County" to "County Engineer" to coordinate with the City of Dalton, City of Tunnel Hill and City of Varnell ordinances. Update title "Whitfield-Dalton Stormwater Local Design Manual" Updated technical requirements for trash racks and pipe grouting to protect owners from inferior construction materials and workmanship. The motion was approved 4-0, with Commissioners, Brooker, Crossen, Robbins and Laughter in agreement. **(SEE EXHIBIT "J")**

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14. **Rezoning Recommendation:** Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to approve the rezoning request of Hollis Holdings to rezone two adjacent tracts of land (parcels 12-089-11-000 & 12-089-16-000) containing a total of 22.9 acres from Low Density Residential (R-2) to High Density Residential (R-7) located at 1525 Pleasant Grove Drive. The Planning Commission has recommended that the Board approve the rezoning. The motion was approved 4-0, with Commissioners Laughter, Crossen Brooker, and Robbins in agreement.
15. **Rezoning Recommendation:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve the request of Myers Carpet Co. to rezone a tract of land (parcel 13-078-15-002) containing .63 acres from Transitional Residential (R-6) to General Commercial (C-2) located along the north R/W of Whittle Drive. The Planning Commission has recommended that the Board approve the rezoning. The motion was approved 4-0, with Commissioners Robbins, Brooker, Laughter and Crossen in agreement.
16. **Rezoning Recommendation:** Motion was made by Commissioner Brooker and seconded by Commissioner Robbins to not approve the request of Juan Valazquez to rezone a tract of land (parcel 12-174-17-000) containing 1.01 acres located at 236 Bethel Church Road. Patricia Diaz, the petitioner was advised that rezoning was needed to be applied for in order to operate a home occupation which includes parking a utility truck at the residence. Chairman Babb noted that based on the information heard at the Dalton-Whitfield Planning Commission meeting held on November 28, 2016, that it is likely that the petitioner would not need to rezone the property and that the requested use could be achieved under the current zoning. During the Planning Commission meeting Mrs. Diaz was informed it was not necessary for the subject property to be rezoned to operate a home occupation or park the utility truck. The motion to not approve the rezoning due to the requested use being able to be done under the current zoning was approved 4-0, with Commissioners Robbins, Brooker, Laughter and Crossen in agreement.
17. **Public Works Department 2017 Bids:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve all of the following Public Works bids for 2017. The motion was approved 4-0, with Commissioners Laughter, Brooker, Crossen and Robbins in agreement. **(SEE EXHIBIT "K")**
 - a. 2017 Boot Allowance Program – Approve the bid from accept the bid from Discounts Sporting Goods Dalton, Georgia. Allowance per county employee is \$125.00, anything above the allowance amount is the responsibility of the employee.
 - b. 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 Dalton, Georgia.
 - c. Concrete and Concrete Accessories – Public Works only received one bid from Murray Mix of Chatsworth for these items.
 - d. Rental of Tandem Truck and Operator –Jackson Trucking of Chatsworth, Georgia was the sole bidder for these items.
 - e. Road Striping – Public Works bid out road striping to be used in the Public Works Department. Parker Traffic Marking of Cleveland, Georgia was the lowest bidder. This bid will be used to stripe County roads that are not scheduled for resurfacing.

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- f. Fuel and Gasoline – Petroleum Traders Corporation of Fort Wayne, Indiana was the low bidder for gasoline in the amount of \$0.0169 per gallon and diesel in the amount of \$0.0171 per gallon.

- 18. **Public Works 86” Milling Machine Purchase:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve the purchase of an 86” Milling Machine from ROADTEC of Chattanooga, TN in the amount of \$570,323. After more than a year of research discussion, an RFP was published for the potential purchase of an Asphalt Milling Machine, also known as an Asphalt Cold Planer. Two potential vendors submitted replies: 1) Tractor Equipment Company, representing the Wirtgen milling machine, manufactured in Germany. Price of \$594,049, 2) ROADTEC, manufacturer of ROADTEC milling machine, manufactured in Chattanooga, TN, Priced at \$570,323. Results of the RFP were reviewed by committee. The machines were evaluated based on 4 major criteria: Specifications, Price, Vendor Reputation and Product Placement and Warranty. Both machines are used by numerous private companies and local governments, both companies have outstanding reputations for service and both machines have the necessary specifications to provide the performance required. The RFP committee recommended the purchase of the ROADTEC 86" milling machine, due to the advantage in price and a longer warranty period. Intangible considerations were proximity to the manufacturer and standard replacement parts that may be purchased through third party vendors. The milling machine will assist the paving crew 12 months a year. During the "offseason", deteriorating sections of roads to be paved in the near future can be FDR'd (Full Depth Reclamation) in preparation for future paving. Many minor roads without adequate base can be repaired and patched to prolong their serviceable life. During paving season, approximately 10 miles of roads will be milled to avoid excessive buildup of asphalt layers, re-establish proper crown to prevent hydroplaning and save additional money by eliminating the need for leveling prior to paving. These factors, along with a savings in cash outlay from the General Fund, make the purchase of a milling machine for the PW department a good investment to maintain our 718 miles of county roads. As a result of this purchase, PW will eliminate the 950 Cat wheel loader and the Asphalt Zipper from inventory (\$75,000 value). The motion was approved 3-1, with Commissioners Brooker, Laughter and Crossen in agreement. Commissioner Robbins was in dissention.
- 19. **E911 – VIPER Call Handling System:** Motion was made by Commissioner Crossen and seconded by Commissioner Laughter to approve and accept the purchase of the VIPER E911 phone system in the amount of \$228,731. This is to approve the purchase of the VIPER E911 Call Handling System provided by West and AT&T. The current phone system is 9 years old and has been discontinued since 2010. The system is out of warranty and parts are no longer readily available. In order to ensure that we meet the needs of our community, future FCC regulations, and ensure we are operating at a high level the current system must be replaced. The VIPER system will provide Next Generation technology capabilities, including Text-to-911, and allows for more efficiency and reliability. AT&T will be the sole source provider of this product. AT&T will be able to provide a single technician for installation and maintenance, and is the only company that can directly supply and maintain the necessary services in partnership with West for the VIPER 911 Call Handling System. The motion was approved 4-0, with Commissioners Laughter, Crossen, Robbins and Brooker in agreement. **(SEE EXHIBIT “L”)**
- 20. **Engineering – TVA Detention Pond Modification Change Order No. 1:** Motion was made by Commissioner Laughter and seconded by Commissioner Brooker to approve the change order and add \$34,200 to the contract amount. Our contractor, EMR, Inc., is currently moving the

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detention pond at Carbondale Business Park to accommodate TVA's new transmission lines. The project was awarded on a lump sum base bid of \$98,500 and paid for by TVA. They have encountered unsuitable soils in a cut area. It contains organic material in addition to being too wet, and cannot be used as fill. As the removal and replacement of this soil is not part of the scope of work, the contractor requested a change order to pay for the undercut and replacement of this material. The total estimated volume of unsuitable material is 4560 cubic yards. Typically, Whitfield County uses the current GDOT mean price per cubic yard to pay for undercut/replacement of soils, which is \$7.50 per cubic yard. The contractor and TVA have agreed to this rate. Using that rate would bring the change order to \$34,200, which TVA will pay the County. No County funds are allocated to this project. The motion was approved 4-0, with Commissioners Brooker, Robbins, Laughter and Crossen in agreement. **(SEE EXHIBIT "M")**

PUBLIC COMMENT

Mr. Harold Sutton came forward to speak to the Board. Sutton informed the Board that during construction of the Coahulla Creek High School on Crow Road that additional road frontage was needed to make the road safer. Sutton had spoken with Commissioner Brooker about a possible trade of his property for a piece of property the County schools deemed was no longer useful to them. Sutton noted that Commissioner Brooker had said that it was too late to try to make that arrangement with the County schools because the County had already purchased the schools property. Sutton was informed that he would be compensated \$16,000 for his property and an additional \$10,000 for a construction easement.

County Attorney Robert Smalley noted that the declaration of taking/condemnation case on Mr. Sutton's property has been concluded for over a year. Smalley further noted that negotiations are held beforehand prior to condemnations are brought before a Judge. Mr. Sutton was compensated \$5,300 for the property in question.

Mr. Harold Sutton feels like he should be compensated the complete amount Commissioner Brooker had stated he would be paid for the property.

The Board is going to research this issue further and communicate with Mr. Sutton on any further developments.

There were no other public comments.

ADJOURN Unanimous

R. LYNETTE LAUGHTER, CHAIRMAN
WHITFIELD COUNTY BOARD OF COMMISSIONERS

BLANCA CARDONA, COUNTY CLERK

DATE: / /