

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

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

5 items were added from the potential additional items; (1. Engineering Department a.) Project 5.8N b.) Dejournette Drive Geotechnical Work, 2. Whitfield County Board of Equalization – re-appoint Eddie Hughes and Glenda Whisenant terms to expire January 1, 2019, 3. Northwest Georgia Trade and Convention Center Authority – Appoint Cathy Snyder term to expire January 31, 2017, 4. Intergovernmental Agreement with the City of Dalton for 911 Dispatch Services, 5. SPLOST Communications Project Warehouse Lease)

Motion was then made by Commissioner Robbins and seconded by Commissioner Crossen 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.

Government Finance Officers Certificate for Excellence in Financial Reporting: Chairman Babb presented Melva Andrews, Assistant Finance Director for Whitfield County, 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 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 accounting and reporting. The Board congratulated the Finance Department for their achievement.

SPECIAL PRESENTATION

1. Alana Rogers from the Limestone Valley Resource Conservation and Development Council spoke before the Board about of two (2) 319 Clean Water Act Grants from Georgia to improve conditions of the South Chickamauga Creek and Coahulla Creek watersheds in Catoosa, Whitfield and Walker Counties. The goal of these grants is to implement Watershed Management Plans within both watersheds to de-list impaired stream segments and to maintain the integrity of other segments so they continue to meet the criteria for each designated use. In order to accomplish these goals, grant money will be used for the installation of agricultural Best Management Practices and septic system repairs to reduce fecal coliform bacteria and

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sediment inputs to streams. These practices are necessary to improve the health of Coahulla and South Chickamauga Creeks. Ms. Rogers noted that when communities come together to protect natural resources, it fosters a sense of stewardship in generations to come. Ms. Rogers further noted that if anyone is interested in participating in outreach events or would like to see if they are eligible for cost share opportunities to get in touch with the Limestone Valley Resource Conservation and Development Council. The Board thanked Ms. Rogers for bringing this information to the Board and the Citizens of Whitfield County.

2. Carl Campbell from the Dalton-Whitfield Joint Development Authority came before the Board to give an Economic Update for Whitfield County for 2015. Mr. Campbell stated that the Development Authority's Target Business Strategy is Automotive, Chemicals, Plastics, Advanced Manufacturing, Food Processing and Large Retail. Mr. Campbell noted that currently there are 59 projects in their project pipeline. Campbell noted that in 2015, seven (7) projects were won resulting in over 245 direct jobs, and 123 indirect jobs.

APPROVAL OF MINUTES: Motion was made by Commissioner Robbins and seconded by Commissioner Laughter to approve the Regular Business Meeting Minutes of December 14, 2015 and the Special Called Meeting Minutes of December 28, 2015. The motion was approved 4-0, with Commissioners Crossen, Laughter, Brooker and Robbins in agreement.

BOARD APPOINTMENTS

1. **Re-Appointment to the Dalton/Whitfield Joint Development Authority:** Motion was made by Commissioner Brooker and seconded by Commissioner Robbins to re-appoint Mr. David Renz to a two-year term to the Dalton/Whitfield Joint Development Authority. The motion was approved 4-0, with Commissioners Laughter, Robbins, Crossen and Brooker in agreement.
2. **Re-Appointment to the Dalton/Whitfield Joint Development Authority:** Motion was made by Commissioner Brooker and seconded by Commissioner Robbins to re-appoint Mr. Frank Robertson to a one-year term to the Dalton/Whitfield Joint Development Authority as the City/County appointee. The motion was approved 4-0, with Commissioners Laughter, Brooker, Crossen and Robbins in agreement.

FOR CONSIDERATION

1. **Rezoning Recommendation:** Motion was made by Commissioner Robbins and seconded by Commissioner Laughter to approve the request of William Kenny to rezone 3.57 Acres from Suburban Agriculture (SA) to General Commercial (C-2); the property is addressed as 1814 Utility Road, Rocky Face, GA with the condition that if there is a sign, that it be a low profile sign. The motion was approved 4-0, with Commissioners Brooker, Robbins, Crossen and Laughter in agreement.
2. **Resolution Setting Qualifying Fees – 2016 Election:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to adopt a Resolution of the Whitfield County Board of Commissioners Fixing Qualifying Fees for Public Offices for the 2016 general primary, non-partisan, and general elections. The motion was approved 4-0, with Commissioners Laughter, Brooker, Robbins, and Crossen in agreement. **(SEE EXHIBIT "A")**

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3. **Resolution – County Surveyor:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve the resolution to abolish the office of elected Whitfield County Surveyor, at the conclusion of the current term of office that ends at midnight December 31, 2016 and requests the Whitfield County delegation in the Georgia General Assembly to introduce and support local legislation before the Georgia General Assembly during the 2016 Session. The motion was approved 4-0, with Commissioners Brooker, Crossen, Laughter and Robbins in agreement. **(SEE EXHIBIT “B”)**
4. **November 2015 Financial Statements:** Motion was made by Commissioner Brooker and seconded by Commissioner Robbins to approve the November 2015 Financial Statements as presented by Finance Director, Alicia Vaughn. In discussion, Mrs. Vaughn reported that Local Option Sales Tax for November 2015 is \$871,056. Local Option Sales Tax for November 2015 show a decrease of 9.2% compared to Local Option Sales Tax Collections for November 2014; Local Option Sales Tax collections for November 2015 show a 3.2% increase from October 2015. Year to date actual Local Option Sales Tax collections for 2015 of \$9,475,775 show an decrease of 6.4% compared to actual Year to Date Local Option Sales Tax for 2014 of \$10,127,565 for the same period. Year to date actual revenues of \$24,021,328 for November 2015 are over than year to date projected revenue \$22,783,668 by 5%. Year to date actual expenditures of \$35,143,694 for November 2015 are less than year to date projected of \$36,552,477 by less than 4%. The County began collecting the TAVT Tax on March 1, 2013. Collections for November 2015 were \$127,347. The motion was approved 4-0, with Commissioners Crossen, Laughter, Brooker and Robbins in agreement. **(SEE EXHIBIT “C”)**
5. **Board of Commissioners Vice Chairman Election:** Commissioner Robbins and seconded by Commissioner Crossen nominated Commissioner Brooker for Vice-Chairman of the Whitfield County Board of Commissioners for 2016, there were no other nominations. A vote was taken and Commissioner Brooker was re-elected 4-0, to be the Vice-Chairman of the Board for 2016.
6. **Juvenile Court Guardian ad Litem Contract:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve the Contract of Employment between Whitfield County and Kermit McManus for Juvenile Court Guardian ad Litem services. Due to changes in the Juvenile Court law that went into effect January 1, 2014, a new contracted Attorney/Guardian ad Litem position was created to continue to provide competent legal representation for indigent cases and for all children as provided for in the new laws. The motion was approved 3-1, with Commissioners Brooker, Crossen and Robbins in agreement. Commissioner Laughter was in dissent. **(SEE EXHIBIT “D”)**
7. **Juvenile Court – Court Attorney Contract:** Motion was made by Commissioner Laughter and seconded by Commissioner Crossen to approve the Independent Contractor’s Agreement between Whitfield County Juvenile Court and Bart Barnwell. Mr. Barnwell will provide legal representation in all indigent cases as determined by the Whitfield County Juvenile Court. The motion carried, 4-0, with Commissioners Brooker, Laughter, Robbins and Crossen in agreement. **(SEE EXHIBIT “E”)**
8. **Juvenile Court – Court Attorney Contract:** Motion was made by Commissioner Crossen and seconded by Commissioner Robbins to approve the Independent Contractor’s Agreement between Whitfield County Juvenile Court and Joshua Smith. Mr. Smith will provide legal representation in all indigent cases as determined by the Whitfield County Juvenile Court. The

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motion carried, 3-1, with Commissioners Brooker, Robbins and Crossen in agreement. Commissioner Laughter was in dissention. **(SEE EXHIBIT "F")**

9. **Juvenile Court – Court Attorney Contract:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve the Independent Contractor's Agreement between Whitfield County Juvenile Court and Matthew Thames. Mr. Thames will provide legal representation in all indigent cases as determined by the Whitfield County Juvenile Court. The motion carried, 4-0, with Commissioners Brooker, Robbins, Laughter and Crossen in agreement. **(SEE EXHIBIT "G")**
10. **Juvenile Court Interpreter Contract:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve the annual contract with KRNW Inc. for court interpreter services for the Whitfield County Superior Court. The contract terminates on December 31, 2016. The motion was approved 4-0, with Commissioners Laughter, Brooker, Crossen and Robbins in agreement. **(SEE EXHIBIT "H")**
11. **EMA – Mobile Command Retrofit:** Motion was made by Commissioner Laughter and seconded by Commissioner Brooker to accept and approve the Retrofit of the Mobile Command Vehicle from LDV Corporation for \$108,093 under GSA Contract # GS-30F-009L. The retrofitting of the Mobile Command Vehicle is in line with the GEMA/Homeland Security Grant approved budget of \$90,000.00. The GEMA/Homeland Security Grant was approved by the Board in October 2015. The remaining \$18,093 will come from the SPLOST communications project for radio replacement. LDV is the company that originally built the truck in 2005. The motion was approved 4-0, with Commissioners Laughter, Brooker, Crossen and Robbins in agreement.
12. **IT – GIS Plotter Replacement:** Motion was made by Commissioner Robbins and seconded by Commissioner Laughter to accept and approve the replacement of the existing GIS Plotter and Scanner for \$20,646.15. The current Plotter/Scanner is nine (9) years old and is primarily used by GIS to print maps and other large format documents. The scanner and plotter are also used by the Engineering/Zoning Department and is essential to GIS operations. The current plotter does not have Windows drivers for current Operating Systems. The proposed replacement is on GA State contract and is a plotter and scanner built together. The cost of the plotter is \$18,558.75 with three (3) year support for \$2,086.40. The motion was approved 4-0, with Commissioners Laughter, Brooker, Crossen and Robbins in agreement.
13. **Public Defender – Memorandum of Agreement:** Motion was made by Commissioner Laughter and seconded by Commissioner Robbins to approve the Public Defenders MOU to transition from the State Paid County Reimbursed Contract, funding the Public Defender's office County payroll through future budget cycles, and providing certainty to all parties including current and future employees of the Public Defender's office. The motion was approved 4-0, with Commissioners Robbins, Crossen, Laughter and Brooker in agreement. **(SEE EXHIBIT "I")**
14. **Tax Assessor's Office – Data Cloud Contract:** Motion was made by Commissioner Brooker and seconded by Commissioner Laughter to approve the contract with Data Cloud Solutions, LLC in the amount of \$31,330. Data Cloud Solutions, LLC will provide the Tax Assessors Office with a mobile appraiser application to be used by Appraisers out in the field, this software is the only one that will interact with the Assessor's current software programs. The motion was approved 4-0, with Commissioners Brooker, Robbins, Crossen and Laughter in agreement. **(SEE EXHIBIT "J")**

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15. **Engineering Department – TSPLOST Project 5.8N Design Proposal:** Motion was made by Commissioner Crossen and seconded by Commissioner Laughter to accept the proposal from Southland Engineering in the amount not to exceed \$97,040. This project is a companion to the larger GDOT-funded project on the west side of the railroad, known as the Louise Lane Project. As part of an agreement with GDOT and Norfolk Southern to improve road and rail safety in this area, Whitfield County agreed in 2012 to purchase the right of way for the Louise Lane Project and to design and construct improvements to the Carbondale/Eber Road intersection and rail crossing. The end result will be the closing of five (5) existing rail crossing in which do not have adequate sight distance, are vertically insufficient for trucks and school buses, and which do not have state of the art crossing equipment. Northfolk Southern has committed to donating \$75,000 to Whitfield County for each closed crossing, which totals \$375,000. The TSPLOST budget for these two projects combined is \$1,575,000 plus the \$375,000 from the SNRR, for a total of \$1,950,000. The proposal from Southland Engineering is for surveying and plan production for the Carbondale/Eber Rd project. Southland Engineering of Cartersville is a company that the County has used before with good results. The motion was approved 4-0, with Commissioners Brooker, Crossen, Robbins and Laughter in agreement.
16. **Engineering Department – Dejournette Drive Geotechnical Work:** Motion was made by Commissioner Brooker and seconded by Commissioner Laughter to accept the proposal from S&ME, Inc in the amount of \$8,500. A slope failure on Dejournette Drive re-occurred during the heavy rains in late December. The northbound lane of this dead-end street cracked along a line about 100 feet long and has settled about 18-24 inches. Before attempting to design a corrective measure, exploratory soil borings through the failure zone and tests to determine soil properties need to be done. S&ME, Inc. of Chattanooga has proposed to do the soil borings and laboratory tests for a lump sum of \$8,500. The motion was approved 4-0, with Commissioners Brooker, Crossen, Robbins and Laughter in agreement.
17. Board of Equalization notification of the re-appointments of Eddie Hughes and Glenda Whisenant their terms will expire January 1, 2019.
18. **Appointment to the Northwest Georgia Trade & Convention Center Authority:** Motion was made by Commissioner Robbins and seconded by Commissioner Crossen to appoint Cathy Snyder to a one-year term to expire on January 31, 2017. The motion was approved 4-0, with Commissioners Laughter, Robbins, Brooker and Crossen in agreement.
19. **Intergovernmental Agreement with the City of Dalton – 911 Dispatch Services:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve the Intergovernmental Agreement between Whitfield County and the City of Dalton to provide dispatching services to the City of Dalton Police Department. The motion was approved 4-0, with Commissioners Brooker, Crossen, Laughter and Robbins in agreement.
20. **SPLOST Communications Project Warehouse Lease:** Motion was made by Commissioner Crossen and seconded by Commissioner Robbins to a rental agreement with KCNW Warehouses in Dalton, GA to store equipment for the Communications project. The motion was approved 4-0, with Commissioners Brooker, Laughter, Crossen and Robbins in agreement.

PUBLIC COMMENT

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There were no public comments.

ADJOURN Unanimous

MIKE BABB, CHAIRMAN
WHITFIELD COUNTY BOARD OF COMMISSIONERS

BLANCA CARDONA, COUNTY CLERK

DATE: / /