

**MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, MAY 9, 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 Laughter and seconded by Commissioner Brooker to amend the agenda. The motion was approved 4-0, with Commissioners Robbins, Laughter, Brooker and Crossen in agreement.**

**2 items were added from the potential additional items; (1. South Tower Site – Condemnation Proceedings, 2. Greenhouse Facility)**

**Motion was then made by Commissioner Laughter and seconded by Commissioner Brooker 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. Daniel Morgan was named the Whitfield County Employee of the Month for March 2016. Mr. Morgan works in the Public Works Department.**

**PROCLAMATIONS**

- 1. National Public Works Week:** Motion was made by Commissioner Brooker and seconded by Commissioner Robbins to proclaim the week of May 15-21, 2016 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. Foster Care Month** – Motion was made by Commissioner Robbins and seconded by Commissioner Laughter to proclaim May, 2016 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 “B”)**

**PRESENTATION**

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1. Mr. Nicholas Sherman from Pioneer Place, LP located in Cartersville 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. Sherman noted that he has developed several complexes in the areas surrounding Whitfield County. The proposed site is located on the north side of Dalton, off of Cleveland Hwy, adjacent to the Dalton Village shopping center. Mr. Sherman will be submitting his application to Georgia Department of Community Affairs (DCA), 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. Sherman asked for support from the Board regarding this application and stated that the complexes they build are first class, top quality and management of the property is great.
2. **Resolution of Support – Pioneer Place, L.P.**: Motion was first made by Commissioner Brooker and seconded by Commissioner Laughter to issue a Resolution and Letter of Support to Pioneer Place L.P. c/o Nicholas Sherman for proposed new construction to build eighty affordable-living apartment homes for seniors in Whitfield County. The proposed apartments would be located off of Cleveland Hwy, Dalton, GA on tax parcel 12-102-11-000. Pioneer Place L.P. is located in Cartersville, 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 “C”)**

**APPROVAL OF MINUTES:** Motion was made by Commissioner Laughter and seconded by Commissioner Crossen to approve the Regular Business Meeting Minutes of April 11, 2016. The motion was approved 4-0, with Commissioners Crossen, Laughter, Brooker and Robbins in agreement.

**FOR CONSIDERATION**

1. **Pawnshop Permit Application:** Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to approve a Pawnshop Permit for Neighborhood Pawn located at 3064 Cleveland Hwy, Dalton, GA. This is a change of ownership for an existing business. The Motion was approved 4-0, with Commissioner Brooker, Crossen, Robbins and Laughter in agreement.
2. **City of Varnell Annexation Request – 11-263-01-033:** Motion was made by Commissioner Crossen and seconded by Commissioner Robbins for no land use classification objection to tax parcel number 11-263-01-033. 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.
3. **City of Varnell Annexation Request – 11-264-07-016:** Motion was made by Commissioner Robbins and seconded by Commissioner Crossen for no land use classification objection to tax parcel number 11-264-07-016. 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.

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4. **City of Dalton Annexation Request – 12-311-15-015:** Motion was made by Commissioner Crossen and seconded by Commissioner Robbins for no land use classification objection to tax parcel 12-311-15-015. The motion was approved 4-0 with Commissioners Brooker, Laughter, Robbins and Crossen in agreement.
5. **City of Dalton Annexation Request – 12-311-15-010:** Motion was made by Commissioner Robbins and seconded by Commissioner Crossen for no land use classification objection to tax parcel 12-311-15-010. The motion was approved 4-0 with Commissioners Brooker, Laughter, Robbins and Crossen in agreement.
6. **Property Acquisition:** Motion was made by Commissioner Brooker and seconded by Commissioner Robbins to ratify the agreement with Ying Hua Bennis for \$27,500. This purchase is being funded by the 2015 SPLOST that was approved by voters March 2015 and is for an 80'x80' permanent easement for ingress/egress to one of the towers for the communications project. The motion was approved 4-0, with Commissioners Laughter, Brooker, Robbins and Crossen in agreement. **(SEE EXHIBIT “D”)**
7. **Rezoning Recommendation:** Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to deny the request of Valerina Vega to rezone 5.0 acres from Rural Residential (R-5) to General Commercial (C-2) the subject property is address as 2950 Waring Road NW, Dalton GA. The petitioner(s) were absent for a second time for the scheduled public hearing on the rezoning request, the Zoning Procedures and Standards Ordinance called for automatic negative action by the governing authority at their next meeting. A negative vote states that this same property can't come up for rezoning or special use permit for a twelve (12) month period. The motion to deny the request was approved 4-0, with Commissioners Brooker, Robbins, Crossen and Laughter in agreement.
8. **Whitfield County Zoning Ordinance Text Amendments and Map:** Motion was made by Commissioner Laughter and seconded by Commissioner Crossen to approve the text amendment and map of the Whitfield County Unified Zoning Ordinance, otherwise known as Appendix A of the Code of Ordinances of Whitfield County, Georgia, be amended by adding definitions for Brewery/Distillery/Winery, Brewpubs, Single Family Attached Dwelling, Loft Dwelling, Urban Dwelling, Brewery/Distillery/Winery, Dwelling-Loft, Dwelling-Single Family Attached, Microbrewery, Micro-distillery/winery, and by amending the definitions of Dwelling-Urban and Townhouse, and by correcting certain scrivener errors in Chart 3.7, and by adding a new section 4-6-30 for special requirements for Kennels, and by adding a new Section 4-6-31 for special requirements for Brewpubs, Microbreweries, and Micro-distillery/wineries, and to rename the Dalton-Whitfield Board of Zoning Appeals to the Unified Board of Zoning Appeals, and by amending the Permitted Use Table to add listings for Brewpubs, Dwelling-Loft, Microbreweries, Micro-distillery/wineries, to correct certain scrivener errors within the table, and by amending the Unified Zoning Map to rezone certain tax parcels, and for other purposes. The motion was approved 4-0, with Commissioners Crossen, Robbins, Laughter and Brooker in agreement. **(SEE EXHIBIT “E”)**
9. **March 2016 Financial Statements:** Motion was made by Commissioner Robbins and seconded by Commissioner Brooker to approve the March 2016 Financial Statements as presented by Finance Director, Alicia Vaughn. In discussion, Mrs. Vaughn reported that Local Option Sales Tax for March 2016 is \$853,067, the LOST percentage for 2016 is 63.752%. Local Option Sales Tax for March 2016 show an increase of 4.4% compared to Local Option Sales

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Tax Collections for March 2015; Local Option Sales Tax collections for March 2016 show 3.8% increase from February 2016. Year to date 2016 collections of \$2,497,804 are down 2.8% compared to year to date 2015 collections. Year to date actual revenues of \$6,644,218 for March 2016 are under year to date projected revenue \$6,596,491 by 1%. Year to date actual expenditures of \$9,143,985 March 2016 are under year to date projected of \$9,807,414 by 6%.TAVT collections for March 2016 were \$168,954. Bases on the year 2012 Collections on the old system the collections for TAVT through March 2016 are 14% higher under the new system. The motion was approved 4-0, with Commissioners Crossen, Laughter, Brooker and Robbins in agreement. **(SEE EXHIBIT "F")**

10. **Finance – 2015 Budget Amendment #4:** Motion was made by Commissioner Robbins and seconded by Commissioner Crossen to approve the 2015 budget amendment #4 as presented by the Finance Department. This budget amendment is to realign budget allocations within the attached funds to meet projected expenditures and revenues for year ending 2015. The motion was approved 4-0, with Commissioners Crossen, Brooker, Laughter, and Robbins in agreement. **(SEE EXHIBIT "G")**
11. **Finance – 2016 Budget Amendment #1:** Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to approve the 2016 budget amendment #1 as presented by the Finance Department. This budget amendment is almost exclusively to adjust for the timing of spending of the bond projects (priority 1) and the pay go projects (priority 2). In some cases, expenditures assumed for 2015 didn't occur and will happen in 2016 instead, and in other cases, expenditures were assumed not to happen until 2016 but occurred in 2015. The only adjustment that doesn't fit either of those scenarios is the increase to the Bridges and Culverts project due to Public Works needs to speed the time line on these expenditures. The motion was approved 4-0, with Commissioners Crossen, Brooker, Laughter, and Robbins in agreement. **(SEE EXHIBIT "H")**
12. **Finance – 2016 Budget Amendment #2:** Motion was made by Commissioner Brooker and seconded by Commissioner Robbins to approve the 2016 budget amendment #2 as presented by the Finance Department. This budget amendment reduces the contingency line item by \$20,428.00. This reduction is due to the SCAAP grant expenditures that occurred in 2016 when the revenue was booked in 2015 and EMA CERT grant expenditures that occurred in 2016 when the revenue was booked in 2015. The other line item address in this budget amendment is for the move of the expense of Bailiffs from the Sheriff to Juvenile Court Budget. The motion was approved 4-0, with Commissioners Crossen, Brooker, Laughter, and Robbins in agreement. **(SEE EXHIBIT "I")**
13. **E911 – CAD/GIS Mapping Software Award:** Motion was made by Commissioner Crossen and seconded by Commissioner Laughter to award the RFP for Computer Aided Dispatch (CAD) Software & Integrated Mapping GIS Software with SunGard Public Sector for 911 for the cost of \$256,644, \$99,500 will come out of 911 Capital and \$157,144 will be funded by SPLOST funds. This is the final step in Whitfield County 911's goal of obtaining a new Computer Aided Dispatch and Integrated Mapping System for the 911 Communications Center. A Request for Proposal (RFP) was developed to the specifications and requirements for 911. The RFP was advertised and vendors provided proposals based on the Proposal Questionnaire and Functional Specification Requirements identified by Whitfield County 911. A committee was established consisting of representatives from 911, Finance, Whitfield County IT, Whitfield County Fire Department, Whitfield County Sheriff's Office, Dalton Police Department, Dalton Fire Department.

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and Hamilton EMS. Each department independently evaluated proposals to include the vendor company history, references, technical specifications, and cost. It is the recommendation of the committee to award the RFP to SunGard Public Sector as the software vendor for the Computer Aided Dispatch Software & Integrated GIS Mapping System Software. SunGard provided the best options for the 911 Center for CAD/GIS software, and presented the opportunity for integration between public safety agencies in Whitfield County to allow more efficient and effective service. SunGard had the lowest cost of the evaluated proposals. SunGard is ready established in Whitfield County at the Sheriff's Office, which will also assist in cost reduction of services. The motion was approved 4-0, with Commissioners Brooker, Laughter, Crossen and Robbins in agreement.

14. **South Tower Site – Condemnation Proceedings:** Motion was made by Commissioner Laughter and seconded by Commissioner Crossen to authorize the Chairman to instruct staff to post the property and determine the condemnation proceedings as necessary. County Attorney Robert Smalley informed the Board that since this is not a typical road condemnation, it will be a longer process if the Board chooses this route. The County is still in discussions with the property owner and are hoping for a mutual agreement, but also mentioned there being a time restraint to complete the communication project. This will be for an easement across the property to reach the tower at the south side of the county for the project. The motion was approved 4-0, with Commissioners Laughter, Brooker, Robbins and Crossen in agreement.
  
15. **Greenhouse Facility:** Motion was made by Commissioner Crossen and seconded by Commissioner Robbins to postpone this item until the next regular Board of Commissioners meeting in June. Chairman Babb noted that in 2008 previous Board approved to allow the Greenhouse to build a new facility on county property north of the Health department however due to lack of funding the Greenhouse wasn't able to construct the building. The Board instructed the County Attorney Robert Smalley and County Administrator Mark Gibson to meet with the Greenhouse to come to an agreement regarding the property and report back at the June meeting. The motion was approved 4-0, with Commissioners Brooker, Laughter, Robbins and Crossen in agreement.

**PUBLIC COMMENT**

Mr. and Mrs. Jimmy Ellis came before the Board to speak about a large oak tree in the Grove Level Cemetery. Mrs. Ellis noted that the tree is uprooting graves and if it should fall it would fall on the nearby playground. Chairman Babb stated that since the tree is on private property, which is owned by the Ellis' the county could not cut the tree down.

Mr. Jerry Patterson came before the Board to speak about Dickerson Way. Mr. Patterson informed the Board of that Dickerson Way has large potholes and would like for the County to include it in the County road system. Chairman Babb stated that since Dickerson Way is a private road, County policy is that the road needs to be brought up to County standards in order for the County to maintain it.

**ADJOURN** Unanimous

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MIKE BABB, CHAIRMAN  
WHITFIELD COUNTY BOARD OF COMMISSIONERS

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BLANCA CARDONA, COUNTY CLERK

DATE: / /