

MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, OCTOBER 9, 2017, 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:

R. Lynette Laughter, Chairman
Harold Brooker, Vice Chairman
Greg Jones, Member
Roger Crossen, Member
Barry W. Robbins, Member

Others Present:

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

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

Chairman Laughter moved item 12. Probation Contracts – a. Superior Court, b. Probate Court after item 6. District Attorney – FY2018 SPCR Contract.

3 items were added from the potential additional items; (1. Right of Way Acquisition Services Contract Award, 2. Title VI Plan Adoption, 3. Resolution – Grant Farm (Facilities Grant)

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

Ms. Becky Martin was named the Whitfield County Employee of the Month for August 2017. Ms. Martin works in the Public Defender’s Office.

PUBLIC HEARING

Chairman Laughter called for a Public Hearing to hear any comments or concerns the public may have regarding an application for a Malt Beverage/Wine License for Five Point Quick Stop located at 1281 Beaverdale Rd NE, Dalton, GA.

There being no comments expressed, Chairman Laughter declared the public hearing closed.

APPROVAL OF MINUTES: Motion was made by Commissioner Crossen and seconded by Commissioner Jones to approve the Regular Business Meeting Minutes of September 18, 2017, and the Work Session Minutes of September 25, 2017. The motion was approved 4-0, with Commissioners Crossen, Jones, Brooker and Robbins in agreement.

FOR CONSIDERATION

1. **Alcohol Beverage License Application – Five Point Quick Stop:** Motion was made by Commissioner Jones and seconded by Commissioner Crossen to approve the Alcohol Beverage Application for a Malt Beverage/Wine License for Five Point Quick Stop located at

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1281 Beavertdale RD NE, Dalton, GA. The motion was approved 4-0, with Commissioners Robbins, Brooker, Crossen and Jones in agreement.

2. **2018 Service Agreement for Jail HVAC:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve the 2018 Service Agreement for \$15,608.16, or \$1,300.68 if paid on a monthly basis with Trane of Chattanooga. Commissioner Brooker recommended to take advantage of the 3% discount of \$468.25 if the full payment of a year in advance is received. The Sheriff's Office handles the remittance of payment for this contract and is aware of the 3% discount. The motion was approved 4-0, with Commissioners Brooker, Jones, Crossen and Robbins in agreement.
3. **5311 Grant Application for FY2019 – Transit Department:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve the Authorizing Resolution for the FY2019 Rural Public Transportation 5311 Grant. The application deadline for the grant for the Whitfield County Transit Department is December 4, 2017. The Authorizing Resolution is only a small portion of the application package, but it is the only item which must be formally adopted by the Board of Commissioners. The motion was approved 4-0, with Commissioners Jones, Brooker, Robbins and Crossen in agreement.
4. **City of Varnell Annexations:** Motion was made by Commissioner Jones and seconded by Commissioner Crossen for no land use classification objection to tax parcel numbers 11-263-01-158 & 11-155-03-010, zoning classification R-2 and tax parcel number 11-277-01-007, zoning classification C-2. The motion was approved 4-0, with Commissioners Jones, Robbins, Brooker and Crossen in agreement.
5. **Rezoning Recommendation:** Motion was made by Commissioner Crossen and seconded by Commissioner Jones to approve the rezoning request of Dianne Peters to rezone a tract of land (parcel 13-100-05-000) containing a total of 90.74 acres located along the west R/W of Valley Point Drive, from Rural Residential (R-5) to General Agriculture (GA). The motion to approve the rezoning includes the condition that the property be prohibited from constructing chicken houses. The motion was approved 4-0, with Commissioners Brooker, Jones, Crossen, and Robbins in agreement.
6. **Rezoning Recommendation:** Motion was made by Commissioner Crossen and seconded by Commissioner Jones to approve the rezoning request of Bonnie Grady to rezone a tract of land parcel (11-259-11-000) containing a total of 33.64 acres located at 290 Haskel Way, from Low Density Single Family Residential (R-2) to General Agriculture (GA). The Planning Commission has recommended that the Board approve the rezoning. The motion was approved 4-0, with Commissioners Brooker, Jones, Crossen, and Robbins in agreement.
7. **Rezoning Recommendation:** Motion was made by Commissioner Crossen and seconded by Commissioner Jones to approve the rezoning request of Douglas Brock to rezone a tract of land parcel (12-354-50-000) containing a total of .76 acres located along the south R/W of Whaley Drive, from Rural Residential (R-5) to General Commercial (C-2). The Planning Commission has recommended that the Board approve the rezoning based on the consistency with several adjacent properties. The motion was approved 4-0, with Commissioners Brooker, Jones, Crossen, and Robbins in agreement.

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8. **Rezoning Recommendation:** Motion was made by Commissioner Crossen and seconded by Commissioner Jones to approve the rezoning request of Sarah Holcomb to rezone a tract of land parcel (27-163-02-000) containing a total of .46 acres located at 1772 Mt. Vernon Road, from Neighborhood Commercial (C-1) to Rural Residential (R-5). The rezoning was based on the apparent need for housing rather than commercial development in the Westside community under the condition that the buffer requirement for all adjacent commercial tracts related to the subject property be removed. The motion was approved 4-0, with Commissioners Brooker, Jones, Crossen, and Robbins in agreement.
9. **Rezoning Recommendation:** Motion was made by Commissioner Crossen and seconded by Commissioner Jones to approve the rezoning request of Ronald Mauldin to rezone a tract of land parcel (12-115-03-000) containing a total of 2.32 acres located at 2932 Chattanooga Road, from Low Density Single Family Residential (R-2) to General Commercial (C-2). The motion was approved 4-0, with Commissioners Brooker, Jones, Crossen, and Robbins in agreement.
10. **Whitfield County Unified Zoning Ordinance Text Amendments:** Motion was made by Commissioner Jones and seconded by Commissioner Crossen to approve the text amendments of the Whitfield County Unified Zoning Ordinance, otherwise known as Appendix A of the Code of Ordinances of Whitfield County, Georgia. The purpose of this amendment will create language to address Transitional Housing as a specific use in text section Definitions 11-20, Transitional Housing; A single or multi-family dwelling housing persons experiencing an abrupt transition in lifestyle such as, but not limited to, recently incarcerated individuals, displaced families, or elderly individuals, operating as a single housekeeping unit under a common housekeeping management plan based on use an intentionally structured relationship providing the organization and stability of home environment. The purpose of the other amendment is to allow transitional housing in all applicable districts, text section page 7 of 7, Transitional Housing Only via Special Use in zones GA, SA, R-1, R-2, R-3, R-5, R-6, PUD, and MU. The motion was approved 4-0, with Commissioners Crossen, Robbins, Jones and Brooker in agreement. **(SEE EXHIBIT "A")**
11. **State Paid County Reimbursed Personnel (SPCR) Contract Extension:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve the contract extension of the District Attorney's office from July 1, 2017 through June 30, 2018 for \$903,432.63. The DA's office personnel are in the process of transitioning from State of Georgia employees to Whitfield County employees. The motion was approved 4-0, with Commissioners Brooker, Crossen, Jones and Robbins in agreement. **(SEE EXHIBIT "B")**
12. **Probate and Superior Courts – Private Probation Services Contract:** Motion was made by Commissioner Crossen and seconded by Commissioner Jones to enter into contract with Georgia Probation Services, Inc. and approve the language changes for both Probate and Superior Court contracts for probation services for defendants convicted in the Whitfield County Probate and Superior Courts. These contracts were approved December 2016 however a law recently passed requiring these contracts to be with the County and approved by the Court. One term that also changed is the ratio of probationers to probation officers. The motion was approved 4-0, with Commissioners Brooker, Jones, Crossen and Robbins in agreement. **(SEE EXHIBIT "C")**

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13. **August 2017 Financial Statement:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve the August 2017 Financial Statement as presented by Finance Director, Alicia Vaughn. In discussion, Mrs. Vaughn reported that Local Option Sales Tax for August 2017 is \$806,489. LOST percentage 2017 = 62.653%, Local Option Sales Tax for August 2017 show a decrease of 3.8% compared to Local Option Sales Tax Collections for July 2017; Local Option Sales Tax collections for August 2017 show an increase of .9% compared to August 2016 collections. August 2017 Year to date Local Option Sales Tax collections of \$6,519,085 show a decrease of .7% compared to Year to date July 2016 and are \$44,418 over budget. Year to date actual Revenues of \$16,877,376 for August 2017 are over year to date projected revenues of \$15,784,189 by 7%. Year to date actual Expenditures of \$28,274,432 for August 2017 are under Year to date projected expenditures of \$29,344,061 by 4%. TAVT collections for August 2017 were \$124,083, budgeted revenues were \$143,750. The motion was approved 4-0, with Commissioners Crossen, Jones, Brooker and Robbins in agreement. **(SEE EXHIBIT "D")**
14. **EMA– Miscellaneous Surplus Items:** Motion was made by Commissioner Brooker and seconded by Commissioner Jones to approve the miscellaneous surplus items from EMA and to list the items on GovDeals.com. The motion was approved, 4-0, with Commissioners Brooker, Jones, Robbins and Crossen in agreement.
15. **Parks and Recreation Front End Loader Tractor Purchase:** Motion was made by Commissioner Crossen and seconded by Commissioner Jones to approve the purchase of 1 (one) front loader tractor from Atlanta Equipment in the amount of \$23,998.78. The motion was approved 3-1, with Commissioners Jones, Robbins, and Crossen in agreement. Commissioner Brooker was in dissention.
16. **Fire Department eDraulic Purchase:** Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to approve the purchase of a demo set of eDraulic tools from MES for \$26,455.61. WCFD is in need of replacing a set of older model extrication equipment. WCFD operates Hurst equipment exclusively and MES is the authorized vendor for the geographical area for this brand of equipment. Total price for the cutter, ram, spreader with batteries and a bank charger is \$26,455.61. The motion was approved 4-0, with Commissioners Jones, Brooker, Crossen and Robbins in agreement.
17. **Fire Station #11 – Construction Bid:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve the bid from Felker Construction for \$1,504,456.36 for construction of Station #11. The SPLOST provided funding for the construction of Fire Station #11 in Cohutta to enhance fire protection in the north portion of the County. WCFD issued RFP 17-01 on September 1, 2017 through the finance Department. Bids were received on September 29, 2017. Seven firms attended the mandatory pre-bid meeting and one firm met the deadline and completed all necessary steps as outlined in the RFP. The bid was for a 7,830 square foot building. The facility includes 2,730 square feet of living space consisting of an office, dayroom, kitchen, bathrooms, locker room and utility room. The bay area consists of three drive through bays that will meet current and future needs. The exterior will consist of masonry and concrete board siding. Interior floors will be polished no maintenance concrete. All fixtures will be energy efficient and the lighting is LED. The tentative schedule shows contract signing this week, pre-construction and notice to proceed next week. Construction is estimated as 7 months from time of award. The lone bidder (Felker

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Construction) has a price of \$1,504,456.36 dollars. The motion was approved 5-0, with Chairman Laughter, Commissioners Brooker, Crossen, Jones and Robbins in agreement.

18. **Coroner – Transport Services Bid:** Motion was made by Commissioner Jones and seconded by Commissioner Crossen to approve the bid of \$225.00 per transport from Allied Funeral Services. An invitation to bid was posted for Crime lab transport to the medical examiner's office in Decatur. Allied Funeral Services was the only bid received. The motion was approved 4-0, with Commissioners Brooker, Jones, Crossen and Robbins in agreement
19. **Engineering Department – Right-of-Way Acquisition Services Contract:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to enter into contract with THC, Inc. for Right-of-Way Acquisition Services. In order to purchase right-of-way for two SPLOST road projects, the engineering department put out a Request for Qualifications in September. Three firm submitted packets, which were evaluated by a selection committee as described in the RFQ. The company with the highest rating by the committee is THC, Inc. of Duluth, GA. Subsequently, we met with representatives of THC to go over the projects they would be assisting us with and layout the County's requirements and preferences. The average cost of acquisition per parcel of R/W is similar, and actually slightly lower, than the cost for these services on previous projects. Our selection committee has a high degree of confidence that THC, Inc. will meet our acquisition needs well, and believe the cost proposal is fair and acceptable for the services to be provided. The motion was approved 4-0, with Commissioners Brooker, Robbins, Crossen and Jones in agreement. **(SEE EXHIBIT "E")**
20. **Engineering Department – Title VI Plan Adoption:** Motion was made by Commissioner Jones and seconded by Commissioner Crossen to approve the Title VI Plan for the Engineering Department. The Federal Highway Administration (FHWA) and GDOT require the County to adopt a Title VI plan for the Engineering Department in order to locally administer projects with State or Federal funding. Title VI has existed in the Federal code since 1964, and protects citizens from discrimination based on their race, color, or national origin. The motion was approved 4-0, with Commissioners, Brooker, Jones, Crossen and Robbins in agreement. **(SEE EXHIBIT "F")**
21. **Engineering/Public Works Department – Grant Resolution:** Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to adopt the Resolution authorizing the submission of a pre-application for funding from the Land and Water Conservation Grant. Whitfield County is pursuing a grant for the development of a restroom facility and a pavilion at the recently acquired Grant Farm. The grant submission requires a resolution to be passed by the County stating that if the grant is approved, the County can and will fund their 50% in kind contribution. For the grant, a 50% match is required and in kind services can comprise the 50% match for the County. The County's match would consist of creating a parking lot on the property and a pad for the pavilion. The minimum amount for the grant submission is \$25,000 (\$50,000 Project Total) and the maximum is \$100,000 (\$200,000 Project Total). The restroom is needed to service those that will be visiting the bicycle trails that SORBA is planning on creating on the site and the pavilion will provide for a meeting place for families at the lake. The parking lot will be less than 1 acre in size and will house approximately 30 spaces for vehicles. Estimated Costs: 1. \$5,000 - Archaeological Survey, 2. \$50,000 - Parking Lot Grading\Gravel, 3. \$10,000 - Pavilion Grading\Gravel, 4. \$10,000 - Pavilion, 5. \$40,000 - Restroom Facility, 6. \$5,000 - Septic System = Total \$120,000. The motion was

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approved 4-0, with Commissioners Brooker, Jones, Crossen and Robbins in agreement. **(SEE EXHIBIT “G”)**

PUBLIC COMMENT

There were no public comments.

Executive Session – Personnel: Motion was made by Commissioner Crossen and seconded by Commissioner Jones to go into executive session to discuss Personnel. The motion was approved 4-0, with Commissioners Crossen, Brooker, Robbins and Jones in agreement. Present for the meeting were Chairman Lynn Laughter, Commissioners Robbins, Brooker, Crossen and Jones, County Attorney Robert Smalley, County Administrator Mark Gibson, and Human Resources Director Jackie Carlo.

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, Jones and Crossen in agreement.

ADJOURN Unanimous

R. LYNETTE LAUGHTER, CHAIRMAN
WHITFIELD COUNTY BOARD OF COMMISSIONERS

BLANCA CARDONA, COUNTY CLERK

DATE: / /