

SUMMARY MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, FEBRUARY 12, 2018, 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
Barry W. Robbins, Member
Roger Crossen, Member
Greg Jones, Member

Others Present:

Mark Gibson, County Administrator
Dan Strain, Attorney
Citizens
Department Heads
Press

Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to amend the agenda. Two (2) items were added from the potential additional items; (1. Juvenile Court – Indigent Defense Contract, 2. Ratify – Emergency Purchase and Contract – Courthouse) and one (1) item was removed (11. Intergovernmental Agreement – TAD District 3). The motion was approved 4-0.

Chairman Laughter recognized Ms. Christina Curtis as Employee of the Month for December 2017. Ms. Curtis works in Juvenile Court.

Approval of Minutes: Motion was made by Commissioner Jones and seconded by Commissioner Crossen to approve the January 8, 2018 regular business meeting minutes, and the January 22, 2018 work session minutes. The motion was approved 4-0, with Commissioners Crossen, Jones, Brooker and Robbins in agreement.

PROCLAMATION

1. **Proclamation – Social Work Month March 2018:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to proclaim March 2018 as National Social Work Month in Whitfield County, Georgia. The motion was approved 4-0, with Commissioners Crossen, Robbins, Brooker and Jones in agreement. **(SEE EXHIBIT “A”)**

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 West Side Mart located at 613 Lafayette Rd., Rocky Face, GA.

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

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BOARD APPOINTMENT

1. **Appointment to the Dalton-Whitfield Planning Commission:** Motion was made by Commissioner Jones and seconded by Commissioner Robbins to appoint John Thomas to fill the unexpired term of Todd Gavin to expire July 12, 2020. The motion was approved 4-0, with Commissioners Crossen, Brooker, Jones and Robbins in agreement.

FOR CONSIDERATION

1. **Juvenile Court Attorney/Guardian ad Litem Contract:** Motion was made by Commissioner Brooker and seconded by Commissioner Robbins to approve the Contract of Employment for Matthew Thymes as the Attorney/Guardian ad Litem for Juvenile Court. Kermit McManus recently asked to be relived of this position and Matthew Thymes will be assuming the Contract. The motion was approved 4-0, with Commissioners Brooker, Jones, Crossen and Robbins in agreement. **(SEE EXHIBIT "H")**
2. **Juvenile Court Indigent Defense Attorney Contract:** Motion was made by Commissioner Crossen and seconded by Commissioner Jones to approve the Contract of Employment for Jason Souther for indigent defense as a court ordered Attorney for Juvenile Court. Mr. Thymes will provide legal representation in all indigent cases as determined by the Whitfield County Juvenile Court. The motion was approved 4-0, with Commissioners Brooker, Jones, Crossen and Robbins in agreement
3. **Alcohol Beverage License Application – West Side Mart:** Motion was made by Commissioner Crossen and seconded by Commissioner Jones to approve the Alcohol Beverage Application for a Malt Beverage/Wine License for West Side Mart located at 613 Lafayette Rd, Rocky Face, GA. The motion was approved 4-0, with Commissioners Robbins, Brooker, Crossen and Jones in agreement.
4. **City of Varnell Annexation – parcel No. 11-263-01-170:** Motion was made by Commissioner Jones and seconded by Commissioner Crossen for no land use classification objection to tax parcel No. 11-263-01-170. The motion was approved 4-0, with Commissioners Jones, Robbins, Brooker and Crossen in agreement.
5. **City of Dalton Annexation – parcel No. 12-311-16-020:** Motion was made by Commissioner Jones and seconded by Commissioner Crossen for no land use classification objection to tax parcel No. 12-311-16-020. The motion was approved 4-0, with Commissioners Jones, Robbins, Brooker and Crossen in agreement
6. **Rezoning Recommendation:** Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to approve the rezoning request of Doyle Gazaway to rezone a tract of land (parcel 11-119-01-054) containing a total of 6.68 acres located at 218 Stadium Way near Cohutta, from Rural Residential (R-5) to General Agricultural (GA). The tract is currently occupied by one single family detached dwelling and the request to rezone to (GA) is for the purpose of permitting the addition of a second single family detached dwelling on the property. The Planning Commission has recommended that the Board approve the rezoning to include

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the condition that no animal husbandry be permitted on the property. 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 Brooker to deny the rezoning request Brian Spence to rezone from Medium Density Single Family Residential (R-3) to High Density Residential (R-7) on a tract of land totaling 7.83 acres located along the east R/W of Fraizer Drive (parcel 12-179-02-009). The Planning Commission has recommended that the Board deny this rezoning on the concern that the proposed increase in density is not appropriate for the subject property. The motion to deny the request was approved 3-0, with Commissioners Brooker, Jones, and Crossen in agreement. Commissioner Robbins abstained from voting.
8. **Rezoning Recommendation:** Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to deny the rezoning request Hiren Patel to rezone from Estate Residential (R-1) and Low Density Single Family Residential (R-2) to High Density Residential (R-7) on a tract of land totaling 7.792 acres located at 805 N. Tibbs Road (parcel Nos. 12-159-01-025, 026 and 046). The Planning Commission has recommended that the Board deny this rezoning on the concerns of stormwater issues that could be created by the intense development proposed. 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 Brooker to approve the rezoning request of Judy Pair to rezone a tract of land (parcel 13-153-02-001) containing a total of 0.76 acres located at 4045 S. Dixie Hwy, from General Commercial (G-2) to Rural Residential (R-5). 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.
10. **Fire Department Uniforms:** Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to approve \$52,750.00 for Uniforms. The motion was approved 4-0, with Commissioners Laughter, Brooker, Crossen and Robbins in agreement.
11. **Fire Department – Roof Replacement Stations 4, 5 & 6:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve TBM Inc. as the low bid to replace the roof at Fire Stations 4,5 & 6 in the amount of \$64,615. These facilities are over 40 years old and are in need of new roofs. The motion was approved 4-0, with Commissioners Brooker, Crossen, Jones and Robbins in agreement.
12. **Georgia Power Easement:** Motion was made by Commissioner Robbins and seconded by Commissioner Jones to approve an Easement between Georgia Power and Whitfield County. The motion was approved 4-0, with Commissioners Brooker, Jones, Robbins and Crossen in agreement
13. **Resolution – Opioid Crisis:** Motion was made by Commissioner Crossen and seconded by Commissioner Jones to approve the resolution regarding the opioid crisis. The motion was approved 4-0, with Commissioners Brooker, Robbins, Crossen and Jones in agreement.

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14. **IT – Phone System Replacement:** Motion was made by Commissioner Crossen and seconded by Commissioner Jones to replace Voice Server hardware through Disys Solutions, Inc., for \$34,573.80 and accepting a three year Cisco SmartNet agreement with Disys for \$80,617.11 paid annually in the amount of \$26,872.37 using State Contract pricing. The motion was approved 4-0, with Commissioners Jones, Crossen, Robbins and Brooker in agreement
15. **Sheriff’s Department – Jail Food Services Updated Contract:** Motion was made by Commissioner Crossen and seconded by Commissioner Jones to postpone this item until the next regular meeting. The motion was approved 4-0, with Commissioners Jones, Brooker, Crossen and Robbins in agreement.
16. **December 2017 Financial Statement:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve the December 2017 Financial Statement as presented by Finance Director, Alicia Vaughn. In discussion, Mrs. Vaughn reported that Local Option Sales Tax for December 2017 is \$941,509 – LOST percentage 2017 = 62.653%
December 2017 Local Option Sales Tax collections show an increase of 12% compared to November 2017 collections. December 2017 collections show a decrease of 29.6% compared to December 2016. December 2016 included \$362,000 in collections from audits. December 2017 Year to date Local Option Sales Tax collections of \$9,896,272 are up .5% compared to Year to date December 2016 collections of \$9,848,729 and are \$184,272 over budget. Year to date actual Revenues of \$45,446,903 for December 2017 are over year to date projected revenues of \$44,479,858 by 2%. Year to date actual Expenditures of \$43,713,118 for December 2017 are under Year to date projected expenditures of \$45,075,892 by 3%. TAVT collections through December 2017 equal \$1,823,341 and are \$98,341 over budgeted TAVT Revenues of \$1,725,000. Actuals will be adjusted to accrue 60 days of property tax revenue and additional expense. Current anticipated surplus for 2017 at this time = \$3,000,000. Budgets Surplus original 2017 budget = \$484,167. The motion was approved 4-0, with Commissioners Crossen, Jones, Brooker and Robbins in agreement.
17. **Amendment to The Whitfield County Animal Ordinance:** Motion was made by Commissioner Crossen and seconded by Commissioner Jones to approve an amendment to Chapter 4 of the Whitfield County Code of Ordinances. The amendment affects the section entitled “Animals” by amending section 4-9, entitled “Owner Reclaims,” to provide that a fee unless otherwise waived, for owner reclaims shall be \$150.00 per animal. Such \$150.00 fee shall be waived entirely for each animal retrieved that has not been previously spayed or neutered, but whose owner requests that Whitfield County Animal Control transport such animal to any local licensed spay/neuter clinic of the owner’s choice, where the procedure is confirmed to be completed upon such animal at the owner’s sole expense. The motion was approved 4-0, with Commissioners Jones, Brooker, Crossen, and Robbins in agreement
18. **Public Works – Cab & Chassis purchase:** Motion was made by Commissioner Jones and seconded by Commissioner Crossen to approve the purchase of a 14000lbs GVWR Cab & Chassis in the amount of \$29,320 from Brooker Ford. This is for their existing sign truck bed. The motion was approved 4-0, with Commissioners Brooker, Robbins, Jones and Crossen in agreement.

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19. **Public Works – Asphalt Paver Repair:** Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to accept the repair cost of \$23,225.19 from Yancey Bros for repairs on a Caterpillar AP-800 Paver. Yancey Bros is the local authorized dealer for this type of equipment. The motion was approved 4-0, with Commissioners Brooker, Robbins, Jones and Crossen in agreement.
20. **Public Works – McGaughey Chapel Road Bridge Repair:** Motion was made by Commissioner Brooker and seconded by Commissioner Jones to allow Public Works Director Dewayne Hunt to complete the survey from the Georgia Department of Transportation to determine Whitfield County's interest with the possible replacement of the bridge on McGaughey Chapel Road. GDOT has developed a Low Income Bridge Replacement Program to provide expedited project delivery for the least complicated bridge replacement projects. The motion was approved 4-0, with Commissioners Jones, Crossen, Brooker and Robbins in agreement.
21. **Public Works – Culvert Replacement Project.:** Motion was approved by Commissioner Brooker and seconded by Commissioner Jones to enter into contract for professional services with Southeastern Engineering, Inc. (SEI) in the amount of \$46,747 for surveying, engineering, contract management support and construction engineering and inspection for eight (8) existing Corrugated Metal Pipe (CMP) drainage cross pipe replacements. The motion was approved 4-0, with Commissioners Jones, Brooker, Robbins and Crossen in agreement
22. **Ratify Contract with Clean, Heating and Air.:** Motion was approved by Commissioner Brooker and seconded by Commissioner Crossen to ratify the emergency purchase of professional services for work done at the Courthouse. The motion was approved 4-0, with Commissioners Jones, Brooker, Robbins and Crossen in agreement.

PUBLIC COMMENT

Carol McFarland addressed the Board concerning a business located on Dug Gap Rd. that is a shooting range. Ms. McFarland noted that she is worried about the safety of herself and her neighbors about the possibility of stray bullets. The Board noted that they would look into the situation.

Rita Burrows and Sherri Patton addressed the Board about enforcing the Animal Ordinances in Whitfield County.

Hope Lewallen came forward and addressed the Board regarding the enforcement of the Animal Ordinances as well.

Jill Hungerford addressed the Board about the Animal Ordinances as well.

Daryl Long noted that in regards to the owner reclaim fee of \$150.00, to be available to individuals who are not able to afford to spay/neuter their animal.

Robin O'Kane also address the Board about enforcing the Animal Ordinances.

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Kaye Lipscomb came forward to commend Animal Shelter Director Diane Franklin for the great job that she is doing at the shelter.

ADJOURN Unanimous

R. LYNETTE LAUGHTER, CHAIRMAN
WHITFIELD COUNTY BOARD OF COMMISSIONERS

BLANCA CARDONA, COUNTY CLERK

DATE: / /

DRAFT