

**MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, MAY 13, 2019, 6:00 P.M. IN ADMINISTRATION 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  
Robert Smalley, County Attorney  
Citizens  
Department Heads  
Press

**Motion was made by Commissioner Jones and seconded by Commissioner Brooker to amend the agenda, removing item #1. Engineering – Hwy 201 GDOP agreement, and item #9 Public Works – Driveway drainage improvements from the agenda. Item #1. Magistrate Court – Interpreter Contract was added from the Potential Additional Items. The motion was approved 5-0 to approve the amended agenda, with Chairman Laughter and Commissioners Brooker, Crossen, Jones and Robbins in agreement.**

**Chairman Laughter recognized Mr. Josh Ray as Employee of the Month for March 2019. Mr. Ray works in the Public Works department.**

**Approval of Minutes:** Motion was made by Commissioner Crossen and seconded by Commissioner Jones to approve the April 8, 2019 regular business meeting, April 11, 2019 special called meeting, April 22, 2019 work session, and the May 2, 2019 special called meeting minutes. The motion was approved 4-0, with Commissioners Crossen, Brooker, Jones and Robbins in agreement.

**FOR CONSIDERATION:**

1. **Sheriff's Office – Replacement of Trane 50-ton AC Unit:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve the quote from Trane, LLC to purchase a new air conditioning unit for the Jail for \$52,572. Commissioner Brooker included in the motion to allow for reimbursement of this purchase to the general fund with future SPLOST proceeds. This cost includes the base cost of the unit \$40,752 with installation and crane rental costs of \$11,820. The Detention Facility's HVAC control system is a computer-based control system providing environmental control of a 146,000 square foot building with almost fifty separate HVAC systems. This unit is approximately 17 years old and has required numerous repairs in the past. The Sheriff's office recommended Trane as a single source provider, all of the Sheriff's HVAC equipment are Trane units. The motion was approved 4-0, with Commissioners Brooker, Crossen, Jones, and Robbins in agreement.
2. **Sheriff's Office – Control Upgrades:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve the quote from Trane Inc. for \$38,222 to remove and install the electronic control systems that control numerous HVAC systems at the Sheriff's Office. Commissioner Brooker included in the motion to allow for reimbursement of this purchase to the general fund with future SPLOST proceeds. The current system is over sixteen years old and is operating with an outdated windows XP platform. The Sheriff's office recommended Trane as a

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single source provider, all of the Sheriff's HVAC equipment are Trane. The motion was approved 4-0, with Commissioners Brooker, Crossen, Jones, and Robbins in agreement.

3. **Sheriff's Office – Jail Boiler purchase and install:** Motion was made by Commissioner Crossen and seconded by Commissioner Robbins to approve the purchase and installation of a boiler from Battlefield Plumbing Co. for \$17,746. Battlefield Plumbing Co. was the only vendor to bid on this project. Commissioner Brooker included in the motion to allow for reimbursement of this purchase to the general fund with future SPLOST proceeds. This boiler supports the hot water system used for cleaning and sanitation in both the Kitchen and Laundry areas of the facility. It is essential for environmental health and safety of the facility. The motion was approved 4-0, with Commissioners Robbins, Brooker, Jones, and Crossen in agreement.
4. **Sheriff's Department – Equipment and Upfitting three 2019 Dodge Chargers:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve the bid from West Chatham Warning Devices Savannah GA for \$20,433. Dana Public Safety Supply had the lowest bid but the Sheriff's Office recommended West Chatham due to the quality of work they have received from West Chatham Warning Devices in the past. The motion was approved 4-0, with Commissioners Brooker, Crossen, Jones and Robbins in agreement.
5. **Magistrate Court – Private Probation Services Contract:** Motion was made by Commissioner Jones and seconded by Commissioner Brooker to enter into contract with Alternative Probation Services, Inc. for general probation services, fine collection services and other probations services for persons convicted of certain misdemeanors in Magistrate Court. The motion was approved 4-0, with Commissioners Brooker, Jones, Crossen and Robbins in agreement.
6. **Magistrate Court Interpreter Contract:** Motion was made by Commissioner Jones and seconded by Commissioner Brooker to approve the annual contract with Blanca Torres for court interpreter services for Whitfield County Magistrate Court. The agreement amount is \$40.00 an hour. The contract terminates on December 31, 2019. The motion was approved 4-0, with Commissioners Jones, Brooker, Crossen and Robbins in agreement.
7. **Resolution – Abandoned Mobile Home Inspector Designation:** Motion was made by Commissioner Jones and seconded by Commissioner Crossen to approve a resolution appointing Joel Gribble from the Tax Commissioners Office as the local government agent to inspect abandoned mobile homes. This resolution is to comply with House Bill 381 known as the "Abandoned Mobile Home Act". The motion was approved 4-0, with Commissioners Brooker, Robbins, Jones, and Crossen in agreement.
8. **Fire Dept. Personal Protective Clothing Purchase:** Motion was made by Commissioner Brooker and seconded by Commissioner Jones to approve the low bid for turn out gear from MES for \$51,021.50. This includes 25 sets of gear plus extras required for each coat, at \$2040.86 each. The motion was approved 4-0, with Commissioners Jones, Brooker, Crossen and Robbins in agreement.
9. **Fire Dept. – Declaration of Surplus Vehicle:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to surplus and auction on GovDeals.com a 1996 International Navistar 4900 Model Fire Pumper and a 1990 Dodge Dakota. The motion was approved 4-0, with Commissioners Brooker, Crossen, Robbins, and Jones in agreement.

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10. **Fire Dept. Station 12 – Change Order #2:** Motion was made by Commissioner Brooker and seconded by Commissioner Robbins to approve change order #2 for Station #12. Felker construction requested to change the completion date from June 12, 2019 to September 30, 2019 due to rain delays. The motion was approved 4-0, with Commissioners Brooker, Robbins, Jones and Crossen in agreement.
11. **Rezoning Recommendation:** Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to approve the recommendation of the planning commission approving the rezoning request of James Crow to rezone **a tract of land totaling 1.25 acres located at 3838 Tibbs Bridge Road (Parcel 12-251-03-018) from Rural Residential (R-5) to General Commercial (C-2).** The motion was approved 4-0, with Commissioners Brooker, Crossen, Jones and Robbins in agreement.
12. **Rezoning Recommendation:** Motion was made by Commissioner Crossen and seconded by Commissioner Jones to approve the recommendation of the planning commission to approving the request of **Hallmark Development Partners, LLC to rezone a tract of land totaling 28.8 acres located along the west R/W of Crow Valley Road (Parcel 12-147-07-000) from Low-Density Single-Family Residential (R-2) to High-Density Residential (R-7).** The motion was approved 4-0, with Commissioners Brooker, Crossen, Jones, and Robbins in agreement.
13. **Letter of Support – Hallmark Development Partners, LLC:** Motion was made by Commissioner Crossen and seconded by Commissioner Jones to issue a Letter of Support to Hallmark Development Partners, LLC for their proposed apartment community. The proposed apartments would be located off of Crow Valley Road, Dalton, GA on tax parcel 12-147-07-000 within Whitfield County, a selected Georgia Initiative for Community Housing Community. Hallmark Development Partners, LLC will be submitting their application to the Georgia Department of Community Affairs for Low Income Housing Tax Credit during the 2019 submittal round. The motion was approved 4-0, with Commissioners Brooker, Jones, Crossen and Robbins agreement.
14. **March 2019 Financial Statement:** Motion was made by Commissioner Jones and seconded by Commissioner Crossen to approve the March 2019 Financial Statement as presented by Finance Director James Garvin. In discussion, Mr. Garvin noted Local Option Sales Tax (LOST) collections: Per the IGA, the County's LOST percentage for 2019 is 61 .556%. It was 62.653% in 2017 / 2018. March 2019 collections of \$971,212 were 17.6% greater than budgeted collections of \$825,750. March 2019 collections of \$971,212 were 13.5% greater than February 2019 collections of \$855,792. YTD March 2019 collections of \$2,709,240 were 10.4% greater than same-period 2018 collections of \$2,453,906. TAVT collections for March 2019 were \$357,422, or 60.5% greater than March 2018 collections of \$222,691. YTD March 2019 collections of \$709,257 were 27.1% greater than same-period 2018 collections of \$558,022. YTD March 2019 actual revenues of \$8,750,290 exceeded projected revenues of \$8,427,802 by \$322,488 or 3.8%. YTD March 2019 actual expenditures of \$10,006,293 were less than projected expenditures of \$10,656,128 by \$649,835 or 6.1 %. The motion was approved 4-0, with Commissioners Crossen, Brooker, Jones, and Robbins in agreement.
15. **Whitfield County Unified Zoning Ordinance Text Amendment:** Motion was made by Commissioner Crossen and seconded by Commissioner Jones to approve the text amendments of the Whitfield County Unified Zoning Ordinance, otherwise known as Appendix A of the Code

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of Ordinances of Whitfield County, Georgia be amended by adding alphabetically, within Section, the definition of "Boutique Hotel" and by repealing the existing definition of "Dwelling, Urban" and replacing therewith a new definition of "Dwelling, Urban," as set forth; by amending the Permitted Use Table with respect to "Boutique Hotel" to include such use as a permitted use within the following zoning districts: C-2, MU, and with a special use required in C-3, C-4; by amending the Permitted Use Table with respect to "Brewpubs, Microbrewery, Micro-Winery," "Brewery, Winery, Distillery," and "Micro-Distillery," to add the City of Varnell as a location in which such uses are permitted; and for other purposes. The motion was approved 4-0, with Commissioners Crossen, Robbins, Jones and Brooker in agreement.

16. **Whitfield County Unified Zoning Ordinance Text Amendment:** Motion was made by Commissioner Crossen and seconded by Commissioner Jones 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 be amended by amending the Permitted Use Table to include the C-4, Transitional Commercial zoning district in the list of zoning districts in which Wholesale Trade, Warehouse Distribution Facilities are allowed to operate, and to amend the Permitted Use Table to add Section 4-6-34 as an additional requirement for Wholesale Trade, Warehouse Distribution Facilities, and for other purposes. The motion was approved 4-0, with Commissioners Crossen, Robbins, Jones and Brooker in agreement.

**PUBLIC COMMENT**

Bob Jenkins with Save the Dalton Battlefields spoke in favor of the proposed Hallmark Development Partners, LLC development. Jenkins noted Hallmark Development Partners, LLC is also considering donating the un-development portion of the subject property to Save the Dalton Battlefields.

**ADJOURN** Unanimous

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R. LYNETTE LAUGHTER, CHAIRMAN  
WHITFIELD COUNTY BOARD OF COMMISSIONERS

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BLANCA CARDONA, COUNTY CLERK

DATE:    /    /