

MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, OCTOBER 14, 2019, 6:00 P.M. AT 201 S. HAMILTON ST., 5TH FLOOR, DALTON, GA, 30720

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 Brooker and seconded by Commissioner Jones to approve the agenda. The motion was approved 4-0, with Commissioners Brooker, Jones, Crossen and Robbins in agreement.

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 License for Bhavana Bhupender LLC located at 1729 S. Dixie Hwy, Dalton, GA. No comments or concerns were expressed in the Public Hearing so Chairman Laughter closed the hearing.

Approval of Minutes: Motion was made by Commissioner Crossen and seconded by Commissioner Jones to approve the September 9, 2019 regular business meeting, September 23, 2019 special called meeting and September 23, 2019 work session minutes. The motion was approved 4-0, with Commissioners Crossen, Jones, Brooker and Robbins in agreement.

FOR CONSIDERATION:

1. **Malt Beverage License – Bhavana Bhupender LLC:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve the Malt Beverage License for Bhavana Bhupender LLC located at 1729 S. Dixie Hwy, Dalton, GA. The motion was approved 4-0, with Commissioners Jones, Crossen, Brooker and Robbins in agreement.
2. **Engineering – Project 3.7 SR 201 Construction Bid Award:** Motion was made by Commissioner Brooker and seconded by Commissioner Jones to approve the low bid of \$2,997,876.37 from NW Georgia Paving of Calhoun. A new segment of roadway will be built at the intersections of SR 201 at Lee Chapels Rd and SR 3/US41. GDOT will take over the section of SR 201 and the old section of 201 through Tunnel Hill would be given to the County for future maintenance. The motion was approved 4-0 with Commissioners Crossen, Jones, Brooker and Robbins in agreement.
3. **Engineering – Project 3.7 SR 201 Wetland Credit Purchase:** Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to approve the purchase of 2.09 wetland credits from the Conasauga Mitigation Bank in the amount of \$94,050. The USACE permit to construct requires these credits be purchased for the realignment project of SR 201. The motion was approved 4-0 with Commissioners Crossen, Jones, Brooker and Robbins in agreement.

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4. **August 2019 Financial Statement:** Motion was made by Commissioner Jones and seconded by Commissioner Crossen to approve the August 2019 Financial Statement as presented by Finance Director James Garvin. 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 August 2019 collections of \$925,783, were 12.1% greater than budgeted collections of \$825,750. August 2019 collections of \$925,783 were 0.8% less than July, 2019 collections of \$933,284 YTD August, 2019 collections of \$7,367,379, were 8.2% greater than same-period 2018 collections of \$6,812,155. TAVT collections for August, 2019 were \$377,315, or 137.3% greater than August, 2018 collections of \$158,982. YTD August, 2019 collections of \$1,970,850 were 18.7% greater than same-period 2018 collections of \$1,661,029. YTD August 2019 actual revenues of \$19,478,035 exceeded projected revenues of \$17,876,502 by \$1,601,533 or 9.0%. YTD August , 2019 actual expenditures of \$29,889,479 were less than projected expenditures of \$30,122,588 by \$126,109 or .4%.The motion was approved 4-0, with Commissioners Brooker, Crossen, Jones, and Robbins in agreement.
5. **Orchard Place Conservation Easement:** Motion was made by Commissioner Crossen and seconded by Commissioner Jones to approve an amendment to the Conservation Easement of Orchard Place, LLC to add additional property. This amendment is to include the entire real property described in the conservation easement. The motion was approved 4-0, with Commissioners Robbins, Brooker, Crossen and Jones in agreement.
6. **City of Varnell Annexation Request:** Motion was made by Commissioner Robbins and seconded by Commissioner Crossen for no land use classification objection to tax parcel number 11-263-01-140. The motion was approved 3-1, with Commissioners Crossen, Jones, and Robbins in agreement. Commissioner Brooker was in dissention.
7. **Town of Cohutta Annexation Requests:** Motion was made by Commissioner Robbins and seconded by Commissioner Crossen for no land use classification objection to tax parcel numbers 11-085-40-000, 11-085-02-000 and 11-082-06-000. The motion was approved 3-1, with Commissioners Crossen, Jones, and Robbins in agreement. Commissioner Brooker was in dissention.
8. **City of Dalton Annexation Request – 12-311-15-008:** Motion was made by Commissioner Crossen and seconded by Commissioner Jones for no land use classification objection to tax parcel number 12-311-15-008. The motion was approved 3-1, with Commissioners Crossen, Jones, and Robbins in agreement. Commissioner Brooker was in dissention.
9. **Rezoning Recommendation:** Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to approve the recommendation of the planning commission approving the request of the Estate of Dixie Stanley to rezone a tract of land (parcel 13-241-07-000) containing a total of 23.64 acres located at 189 Sloan Road, from General Commercial (C-2) to Estate Residential (R-1). The motion was approved 4-0, with Commissioners Jones, Crossen, Brooker and Robbins in agreement.
10. **Rezoning Recommendation:** Motion was made by Commissioner Crossen and seconded by Commissioner Robbins to approve the recommendation of the planning commission approving the request of Hamilton Medical Center to rezone a tract of land (parcel 12-160-25-000) containing a total of 14.63 acres located along Broadrick Drive, from Neighborhood Commercial (C-1) to High Density Residential (R-7). The motion was approved 4-0, with Commissioners Jones, Crossen, Brooker and Robbins in agreement.

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11. **Public Works – Mountain View Petition:** Steve Bratton from Public Works informed the Board about a petition several citizens of the City of Tunnel Hill have signed. Bratton noted they are asking for speed cushions on Mountain View Rd., to help slow down motorists who are driving too fast. The Board asked County Administrator Mark Gibson to get in contact with Tunnel Hill Officials to find a solution for the citizens' concerns.
12. **Public Works – Vehicle and Equipment Surplus:** Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to approve the surplus and to auction on Govdeals.com three vehicles and two pieces of equipment from the Public Works department. The motion was approved 4-0, with Commissioners Brooker, Crossen, Jones, and Robbins in agreement
13. **Public Works – Local Road Safety Plan:** Motion was made by Commissioner Jones and seconded by Commissioner Crossen to approve an agreement for \$15,000 with Southeastern Engineering Incorporated (SEI) for preparation of a Local Road Safety Plan. GDOT selected seven Counties to participate in the NACE LRSP pilot workshop. The LRSP is a comprehensive study to combine crash data analytics with road improvements. The motion was approved 4-0, with Commissioners Brooker, Crossen, Robbins and Jones in agreement.
14. **Public Works – Rocky Face Ridge Hay Agreement:** Motion was made by Commissioner Crossen and seconded by Commissioner Robbins to renew the hay contract currently held by Josh Land for cutting and removal of the hay at Rocky Face Ridge Park. The motion was approved 4-0, with Commissioners Brooker, Robbins, Crossen and Jones in agreement.

PUBLIC COMMENT

Jevin Jensen asked the Board to allow the public into the closed portion of the Service Delivery Strategy negotiations that will be held on Oct. 17, 2019.

Executive Session – Potential Litigation: Motion was made by Commissioner Brooker and seconded by Commissioner Crossen to go into executive session to discuss Potential Litigation. The motion was approved 5-0, with Chairman Laughter and 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, Finance Director James Garvin and County Clerk Blanca Cardona.

Motion was then made by Commissioner Robbins and seconded by Commission Crossen to come out of Executive Session. The motion was approved 5-0, with Chairman Laughter and Commissioners Robbins, Brooker, Jones and Crossen in agreement.

ADJOURN Unanimous

R. LYNETTE LAUGHTER, CHAIRMAN
WHITFIELD COUNTY BOARD OF COMMISSIONERS

BLANCA CARDONA, COUNTY CLERK

DATE: / /