

MINUTES FOR THE SPECIAL CALLED MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, JUNE 22, 2020, AT 5:00 P.M. AT EDWARDS PARK COMMUNITY CENTER, LOCATED AT 115 EDWARDS PARK, DALTON, GA 30720

SPECIAL CALLED MEETING

Whitfield County is currently under a public health state of emergency as the community responds to the COVID-19 pandemic and in keeping with guidelines on public gatherings by Governor Kemp's Executive Orders 05.28.20.01 & 06.11.20.01 and the Centers for Disease Control and Prevention: this meeting will be open to the public with social distancing measures in effect. Attendees will be seated with six (6) feet of spacing between them and seating for the meeting is limited to 50 persons. Due to reduced seating capacity, the meeting will also be livestreamed using the following link: <https://livestream.com/accounts/25637515/events/7960637>

SPECIAL CALLED 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 (VIA TELECONFERENCE)
Department Heads
Press
Citizens

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

FOR CONSIDERATION:

1. **Finance – 2020 Budget Amendment:** Motion was made by Commissioner Crossen and seconded by Commissioner Brooker to postpone discussing a 3% raise for County employees until the regular business meeting of July 13, 2020. In discussion Chairman Laughter noted during her campaign she went to every fire station and heard from Whitfield County fire fighters about how much more the City of Dalton Firefighters made than they did. The County spends a lot of money to train them and when they leave for surrounding counties or the City of Dalton due to competitive wages the County loses money. Chairman Laughter spoke to the very unusual recent events across the nation that Deputies and Police Officers are encountering. Some have begun to resign their posts. Chairman Laughter further stated they are not paid enough really, for what both Fire Fighters and Deputies have to go through. It is her intent for the County's employees to receive a raise because they all deserve it. Chairman Laughter went on to state there is money in the contingency fund so there is no issue of where the money will come from because it is already in the 2020 Budget. The motion to postpone the discussion approved 4-0, with Commissioners Crossen, Brooker, Jones, and Robbins in agreement.
2. **Participation in Fire Study and Ratification of SDS Dispute Resolution:** Commissioner Brooker made a motion, which was seconded by Commissioner Jones, to postpone discussion of item 2, Participation in a Fire Study and approve item 3, Ratification of SDS Dispute Resolution. The Board began discussion of the participation in a fire study. Chairman Laughter noted this was requested by the City of Dalton. She said she was going to say a few things about this before we before take a vote. She referenced emails. One email was from County Administrator Mark Gibson, dated May 7th, in which he asks if he was correct that it

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30720**

was agreed upon during the Service Delivery Strategy talks that the County agreed to fund half of the study as it relates to efficiency, collaboration and consolidation of Fire and no one replied to his email. Another email dated January 21st, was sent by Mark to Jason Parker, City Administrator, listing the four items agreed to and the participation of paying for a fire study was not mentioned. The Mayor and Council voted at their January 21st, 2020 meeting approving an extension of the SDS until October 31, 2022 with the following terms: The county will transfer the amount of \$125,000 from the administrative services budget to the Special Tax District budget to account for administrative expenses provided for the benefit of the Fire Department annually from 2020 through 2022, the county will provide for in-kind paving and milling services at commercial rates for the City of Dalton in an amount of 20% of total County paving, from any source, capped at no more than \$200,000 in value each year for 2020 through 2022, and the City will adopt the 2020 SPLOST Intergovernmental Agreement as previously negotiated but the fire study was not mentioned during this meeting. Again, the city does not even mention in their vote about the County paying half of the fee for the fire study. There was a letter from AP Triton addressed to Mayor Pennington dated April 29, 2020 that was forwarded to the county saying, "Please find attached an updated proposal to conduct a consolidation study of the City of Dalton & Whitfield County" Fire Departments. The front page of the proposal in April says "Cooperative Services Study, Potential Consolidation of the Dalton and Whitfield County Fire Departments. Chairman Laughter said she thinks the City knew the county was not very happy with talking about a consolidation. So on the one they sent us in June, the City took out that consolidation word and called it a Cooperative Services Study. If you look at the second page under Project Understanding & Approach, the proposal in April says AP Triton recognizes and understands that the City of Dalton and Whitfield County desire to retain a qualified consulting firm to determine the feasibility of a potential consolidation of the Dalton Fire Department and Whitfield County Fire Department. In the June proposal sent by AP Triton that whole sentence was removed. Chairman Laughter said she read through the most recent proposal and the word consolidation is mentioned 11 times. We have as part of tonight's agenda to discuss whether the county is willing to pay half of this study or not. I'll tell you my opinion up front I don't think we should pay for half of the study. One reason is I don't have any proof that was agreed to and I think it's an effort to look at consolidating the City of Dalton's and Whitfield County's fire departments. In going to all of the County fire Stations, I know the County Fire Fighters do not want to consolidate. I also went to all City of Dalton Fire Stations and their concern with a possible merger is their pay would be cut to what the County Fire Fighters are paid.

Commissioner Jones noted during the SDS talks him and Commissioner Brooker agreed to a fire study reviewing both departments to determine if cost saving opportunities exist by combining services.

Commissioner Brooker further noted the agreement was for a fire study only not for consolidation.

Commissioner Crossen noted we offered twice to consolidate with them on the recreation department and they came back after we thought there was agreement and wanted us to give them cash to take over the City Rec. So there's already a little trust issue there but my constituents and people I talk to are not interested in consolidation.

Chairman Laughter noted Dalton and Whitfield Fire Departments have signed mutual aid/automatic aid agreements.

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Commissioner Robbins noted maybe the City of Dalton misunderstood the intent of the study, and we need to let them know what we would like the study to look into.

Commissioner Crossen noted the study may not need to be just about fire but other things but the proposal that I read today was mostly about fire service and every page mentioned something about consolidation.

Chairman Laughter spoke in regards to the following terms of the SDS agreements that were agreed to by Commissioners Jones, Brooker, Mayor Pennington, and Council member Derek Waugh in January:

- The county will transfer the amount of \$125,000 from the administrative services budget to the Special Tax District budget to account for administrative expenses provided for the benefit of the Fire Department annually from 2020 through 2022
- The county will provide for in-kind paving and milling services at commercial rates for the City of Dalton in an amount of 20% of total County paving, from any source, capped at no more than \$200,000 in value each year for 2020 through 2022
- The City will adopt the 2020 SPLOST Intergovernmental Agreement as previously negotiated

Chairman Laughter noted in January, Mayor Pennington contacted Commissioner Brooker and Jones and invited them to meet with Council member Derek Waugh and himself. Laughter noted Commissioner Brooker told her of the meeting, but it showed great disrespect on the part of Mayor Pennington to the Chairman and to the office of the Chairman by not including the Chairman in the meeting.

Chairman Laughter consulted with County Attorney Robert Smalley regarding the 2012 SDS agreement and the way he read the service delivery strategy from 2012 is County only had to pay 20% or up to \$200,000 of paving out of the general fund. Chairman Laughter noted she doesn't feel like we owe the City that money. She noted we haven't had paving in our budget since 2013 and she remembered that very clearly because it was the first year she elected. The Commissioners were talking about not having the money to put in the budget. She asked, "How can you take paving out of the budget? Isn't that what counties do." But we simply didn't have the money. So since that time the county has done all of our paving with LMIG funds and 2015 SPLOST funds.

Chairman Laughter noted it's her understanding the City of Dalton has funded paving with LMIG and SPLOST funds also and not through their general budget. Chairman Laughter's opinion is that the County doesn't owe that money to the city.

Commissioner Brooker responded, at the time the meeting with the City of Dalton took place, the County was in a lawsuit with the City, and these three stipulations were agreed to in order to settle the dispute.

Chairman Laughter stated she strongly feels that during any lawsuit when someone is right they shouldn't give into the others demands just to save on legal fees, and would not have agreed to the City's requests.

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After the discussion, the motion that was made by Commissioner Brooker and seconded by Commissioner Jones to postpone the payment of the Fire Study until further clarification of the details of the study and to approve the ratification of the following terms of the Service Delivery Strategy dispute resolution as follows was put to a vote:

- The county will transfer the amount of \$125,000 from the administrative services budget to the Special Tax District budget to account for administrative expenses provided for the benefit of the Fire Department annually from 2020 through 2022
- The county will provide for in-kind paving and milling services at commercial rates for the City of Dalton in an amount of 20% of *total* County paving, from any source, capped at no more than \$200,000 in value each year for 2020 through 2022
- The City will adopt the 2020 SPLOST Intergovernmental Agreement as previously negotiated

The motion was approved 4-1, with Commissioners Brooker, Jones, Crossen and Robbins in agreement. Chairman Laughter dissented.

ADJOURN: Unanimous

R. LYNETTE LAUGHTER, CHAIRMAN
WHITFIELD COUNTY BOARD OF COMMISSIONERS

BLANCA CARDONA, COUNTY CLERK

DATE: / /