

MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, JULY 12, 2021, AT 6:00 P.M. AT THE WINK THEATRE LOCATED AT 115 W. CRAWFORD 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:

Jevin Jensen, Chairman
Barry W. Robbins, Vice-Chair
Robby Staten, Member
John Thomas, Member
Greg Jones, Member

Others Present:

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

Motion was made by Commissioner Robbins and seconded by Commissioner Jones to amend the agenda removing the Georgia Department of Health – Childhood Lead Poisoning Prevention and adding Mr. Paul Flanagan and Mr. Ed Jennings to the Public Comment section of the agenda. The amended agenda was approved 4-0, with Commissioners Jones, Thomas, Staten and Robbins in agreement.

Approval of Minutes: Motion was made by Commissioner Thomas and seconded by Commissioner Staten to approve the June 14, 2021 regular business meeting minutes as presented. The motion was approved 4-0, with Commissioners Jones, Staten, Thomas, and Robbins in agreement.

Chairman Jensen recognized Mr. James “Eric” Phillips as Employee of the Month for May 2021. Mr. Phillips recently retired from the Tax Assessors Office where he worked for 32 years.

PUBLIC HEARINGS

Chairman Jensen called for a Public Hearing to hear any comments or concerns the public may have regarding alcohol license applications Cracker Barrel #5 – 938 Market Street, Autry’s Diner – 4111 S. Dixie Hwy Unit 9000 and Brotherhood Billiards – 4111 S. Dixie Hwy Unit 4000.

Chairman Jensen asked Mr. Rick Autry from Autry’s Diner & Brotherhood Billiards if there has been an increase of law enforcement at his businesses. Mr. Autry responded he is not aware of any increase, but that in the past law enforcement did have to come out for a medical call.

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

Chairman’s Report: Chairman Jensen reported on the multiple construction projects happening around the County with Riverbend Park, Rocky Face Ridge Park, Animal Shelter and the Courthouse renovations scheduled for completion January of 2022. Chairman Jensen also noted today is County Administrator Mark Gibson’s last Board of Commissioners meeting, Gibson will be Chief Operations Officer of Whitfield County Schools.

Report from Commissioners:

Commissioner Thomas, Jones, Robbins and Staten did not have any updates to report for this month.

Report from County Administrator:

County Administrator Mark Gibson reported normal operations.

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May 2021 Financial Statement: Motion was made by Commissioner Jones and seconded by Commissioner Staten to approve the May 2021 Financial Statement as presented by Finance Director James Garvin. Local Option Sales Tax (LOST) collections: Per the IGA, the County's LOST percentage has adjusted downward from 61.555 to 60.457%, effective January 2021. This is the final downward adjustment prior to renegotiation of LOST proceeds among the County and various municipalities. May collections of \$1,082,210 were 13% greater than budgeted collections of \$958,333. This was .5% greater than April collections of \$1,076,511. YTD collections of \$5,205,669 were 16% greater than PY collections of \$4,488,762 for the same timeframe. TAVT collections: May collections of \$463,244 were 1% less than April collections of \$468,300. YTD collections of \$2,248,228 were 32% greater than PY collections of \$1,705,316 for the same timeframe. YTD actual revenues of \$13,340,830 were greater than projected revenues of \$12,248,538 by \$1,092,292 or 9%. YTD actual expenditures of \$18,764,614 were less than projected expenditures of \$19,688,921 by \$924,307 or 4.75%. The motion was approved 4-0, with Commissioners Thomas, Staten, Jones and Robbins in agreement.

First Reading – Unified Zoning Ordinance Text Amendment: Chairman Jensen informed the Board and public of the proposed Unified Zoning Ordinance amendment. The amendment will add a new definition for “Small Animals”; by amending the definition of “Townhouse”; by amending the description of zoning districts GA, SA, and R-5 to add a statement wherein under certain conditions, a person may be permitted to store commercial tools, vehicles, and equipment at their residence; to repeal Section 4-6-10 and replace therewith a new Section 4-6-10; to repeal Section 4-6-17 and replace therewith a new Section 4-6-17; by amending Section 1-8.3 of the Whitfield County Zoning Procedures and Standards to not allow the withdrawal of an application for zoning amendment or conditional use once the Planning Commission opens and conducts the public hearing; and for other purposes. No action was taken on this item.

Rezoning Recommendations: Motion was made by Commissioner Staten and seconded by Commissioner Robbins to approve the following rezoning requests recommended by the planning commission: Charles H. Carter and Melanie G. Carter from General Commercial (C-2) to Low Density Single Family Residential (R-2) a tract of land totaling 3.00 acres located on Lower Dug Road, Dalton, Georgia, parcel 13-008-15-000, Nick Conner from Rural Residential (R-5) to General Commercial (C-2) a tract of land totaling 3.74 acres located at 4342 Cleveland Highway, Dalton, Georgia, parcel 11-192-01-002, Knight and Marshall LLC from Rural Residential (R-5) to General Commercial (C-2) a tract of land totaling 1.52 acres located at 2716 S. Dixie Highway, Dalton, Georgia, parcel 13-009-38-000 and Nena White from General Agricultural (GA) to Rural Residential (R-5) a tract of land totaling 5.92 acres located at 660 Fennell Drive, Resaca, Georgia, parcel 13-225-10-000. The motion was approved 4-0, with Commissioners Jones, Staten, Thomas and Robbins in agreement.

Special Use Permit: Motion was made by Commissioner Staten and seconded by Commissioner Jones to approve the special use permit request from Michael Roberts for a farm winery on a tract of land totaling 7.8 acres located at 1610 Beaverdale Road, NE, Dalton, Georgia. Parcel (10-254-13-000). The motion was approved 4-0, with Commissioners Jones, Staten, Thomas and Robbins in agreement.

Appointment of Interim County Administrator: Motion was made by Commissioner Jones and seconded by Commissioner Thomas to appoint County Engineer Kent Benson as Interim County Administrator for Whitfield County. Chairman Jensen noted Gibson’s last day is on July 22. The motion was approved 5-0, with Chairman Jensen, Commissioners Thomas, Staten, Robbins and Jones in agreement.

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Sale of Property – Property and House Riverbend Road: Motion was made by Commissioner Jones and seconded by Commissioner Robbins to approve a resolution accepting the bid from Sean Stokes for \$2,000 for County owned real property located at 1545 Riverbend Road, Dalton, GA 30722. The bid was for a portion of map parcel 12-279-03-001, and includes a single-family residence of approximately 1,152 square feet. This motion also authorizes Chairman Jensen to sign the proper documentation to finalize the sale. The motion was approved 4-0, with Commissioners Thomas, Robbins, Jones and Staten in agreement.

Sale of Property – South Dalton Bypass: Motion was made by Commissioner Jones and seconded by Commissioner Robbins to approve a resolution accepting the bid from Kenneth Shelton for \$7,000 for County owned real property located on the South Bypass in Dalton, GA. This bid was for a certain tract or portion of land parcel 12-281-29-000 being triangular in shape. This motion also authorizes Chairman Jensen to sign the proper documentation to finalize the sale. The motion was approved 4-0, with Commissioners Thomas, Robbins, Jones and Staten in agreement.

Permanent Easement Purchase and Sale Agreement with Dalton Golf and Country Club: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to enter into a purchase agreement with Dalton Golf and Country Club. This agreement is to accept land and provide easement for Dalton Golf and Country Club, the land is located behind the new Tax Commissioner Building and will be used as additional parking. The motion was approved 4-0, with Commissioners Thomas, Robbins, Jones and Staten in agreement.

Alcohol Beverage License Applications: Motion was made by Commissioner Staten and seconded by Commissioner Thomas to approve the following alcohol beverage applications; On-Premise Malt Beverage/Wine license for Cracker Barrel # 5, located at 938 Market Street, Dalton, GA, On-Premise Malt Beverage license for Autry's Diner, located at 4111 S. Dixie Hwy, Unit 9000, Dalton, GA, and an On-Premise Malt Beverage license for Brotherhood Billiards located at 4111 S. Dixie Hwy, Unit 4000. The motion was approved 4-0, with Commissioners Robbins, Thomas, Staten and Jones in agreement.

Finance – 2021 Budget Amendments: Motion was made by Commissioner Jones and seconded by Commissioner Staten to approve a 2021 budget amendments as presented by Finance Director James Garvin. The budget amendments included accepting revenue of \$300,000 from County schools for School Resource Officers, correct \$200,000 for paving to Dalton per SDS agreement (Public Works last month's meeting, add \$66,500 + 30,000 materials for Public Works shed repair, add \$60,454 for building lease and utilities reconciliation, and accept Prater's mill matching donation of \$19,500. The motion was approved 4-0, with Commissioners Staten, Thomas, Robbins and Jones in agreement.

City of Varnell Annexation – parcels 11-313-30-000, 11-300-18-000 and 11-300-12-001: Motion was made by Commissioner Staten and seconded by Commissioner Thomas for no land use classification objection to tax parcels 11-313-30-000, 11-300-18-000 and 11-300-12-001. The motion was approved 4-0, with Commissioners Jones, Thomas, Robbins and Staten in agreement.

City of Varnell Paving Request: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to approve the County Public Works department to help repair and pave the Post Office parking lot. Varnell City will pay for the materials, which will be approximately \$16,000.00. Public Works Director Dewayne Hunt noted it will take around two weeks for repairs. The motion was approved 4-0, with Commissioners Jones, Thomas, Robbins and Staten in agreement.

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Intergovernmental Agreement – Dalton Utilities Sewer Extension: Motion was made by Commissioner Staten and seconded by Commissioner Jones to approve the agreement with Dalton Utilities to extend public sewer from North Whitfield Middle School to Edwards Park for \$90,000. The funding will come from the American Rescue Plan. The motion was approved 4-0, with Commissioners Jones, Robbins, Thomas and Staten in agreement.

Engineering Department – Customer Power Choice: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to approve the proposal from Dalton Utilities for power service at Riverbend Park. The total connected power load at Riverbend Park exceeds 900 kW, which qualifies for customer choice power service. The park is in Georgia Power's service territory. Bids were received from Georgia Power and Dalton Utilities to serve the park. Georgia Power bid 4.0 cents per kWh for the first 12 months, then the rate increases to a variable from 10 to 16 cents per kWh, depending on peak usage times. Dalton Utilities bid 4.8 cents per kWh. This rate is firm for the duration of the service, subject to change only when overall rates change. After the first year, the DU rate is easily less than half the Georgia Power rate. The motion was approved 4-0, with Commissioners Staten, Robbins, Jones and Thomas in agreement.

Engineering Department – Vehicle Purchase (1) Ford Ranger Truck: Motion was made by Commissioner Thomas and seconded by Commissioner Staten to approve the purchase of a 2021 Ford Ranger truck at state contract price of \$33,650 for Ford of Dalton. The motion was approved 4-0, with Commissioners Staten, Robbins, Thomas and Jones in agreement.

Engineering Department – Drainage Study North Gillum Drive: Motion was made by Commissioner Robbins and seconded by Commissioner Thomas to approve the proposal from Atlas for \$23,285. Atlas will perform the hydraulic analysis by modeling the existing conditions in the basin and determine options to minimize and possibly alleviate flooding. The motion was approved 4-0, with Commissioners Robbins, Jones, Thomas and Staten in agreement.

Parks & Recreation – Riverbend Park Soccer Bleachers: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to approve the bid from Outdoor Aluminum of \$55,430 for soccer bleachers at Riverbend Park. The bleachers are portable to accommodate larger crowds. The funding for this purchase is from the voter approved 2020 SPLOST. The motion was approved 4-0, with Commissioners Robbins, Thomas, Staten and Jones in agreement.

Parks & Recreation – Riverbend Park Sod and Irrigation: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to enter into the value engineering discussions with the low bidder Southern Turf and Fields. Southern Turf and Fields bid \$483,119 but this project has a budget not to exceed \$350,000. This project is funded with the voter approved 2020 SPLOST. The motion was approved 4-0, with Commissioners Robbins, Staten, Jones and Thomas in agreement.

Public Works – Contract with Southeastern Engineering, Inc.: Motion was approved by Commissioner Robbins and seconded by Commissioner Thomas to enter into contract for professional services with Southeastern Engineering, Inc. (SEI) for \$50,000 for the McGaughey-Chapel Road at Old Prater Mill Road intersection improvement. SEI will conduct surveys, provide engineering design, complete the necessary contract documents and provide bidding assistance as needed. The motion was approved 4-0, with Commissioners Staten, Robbins, Jones and Thomas in agreement.

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Whitfield County Courts – Courtroom Evidence Presentation Systems: Motion was made by Commissioner Robbins and seconded by Commissioner Jones to approve the bid from WH Platts Company for \$583,284. Part of the 2020 SPLOST Courthouse renovations included replacing the evidence and video systems used by the Sheriff's Office and Judges. The current equipment is 16 years old. Nothing is under warranty & most parts cannot be replaced because they are no longer made or serviced. Currently the superior court has one (1) fully functioning courtroom to serve 4 Judges. Each court also will have the ability to connect remotely through multiple platforms (Zoom, Webex, etc.); this of course reduces the number of inmates that need to be transported by the Sheriff. Of great importance is that each courtroom will be warrantied and replacement parts if needed are readily available. The motion was approved 4-0, with Commissioners Jones, Robbins, Thomas and Staten in agreement.

Information Technology – Microsoft Enterprise Agreement Renewal and Barracuda Complete Security: Motion was approved by Commissioner Robbins and seconded by Commissioner Staten to approve the Microsoft contract renewal and following Cybersecurity improvements; Microsoft Enterprise Agreement contract renewal with SHI for \$77,481.41 per year funding for this renewal will come out of the IT budgets. Multi Factor Authentication (MFA) with Cisco DUO for secure VPN (remote access and email) for \$15,562.40, expand Barracuda security tool suite for \$52,615.33 per year for 3 years utilizing state contract #R5242, Wrightcore will provide migration and implementation services for the above for \$29,080. Funding for these cybersecurity upgrades will come from the American Rescue Plan passed earlier this year. The motion was approved 4-0, with Commissioners Robbins, Thomas, Jones and Staten in agreement.

PUBLIC COMMENT:

Ed Jennings addressed the Board about getting speed bumps on Beulah Drive in the Green Acres Subdivision. Chairman Jensen would like to receive signed petitions from the surrounding property owners in favor of the speed humps. Jennings noted he would begin to work on one.

Paul Flanagan who lives off of Bethel Church Road presented the Board with a signed petition in favor of installing speed humps. The Public Works Department will conduct a study for possible speed hump installation.

Whitfield County Department Goals Update:

1. Information Technology – IT Director Rick Lovelady updated the Board on the progress of the IT departments goals. Lovelady noted work orders went from 17.6 open in May to 9.9% in June, end-point threats stopped in May were 22 and for June were 27, with zero data loss. Lovelady further noted downtime for May and June were normal with power outages and normal server reboots being the causes for the downtime.
2. Parks and Recreation – Director Brian Chastain updated the Board on the progress of the Parks and Recreations goals. Chastain noted they are keeping registration costs at \$25 per a participant, added Pickle ball courts at Edwards Park by utilizing Tennis Courts, partnered with Prodigy Disc Golf to add course at Edwards Park, keeping website updated with activities and information. Chastain further noted they are adding QR codes at their concession windows and are putting together an informational flyer to have available for the public. Chastain added that employees are working hard to clean up what they see at the parks, keeping fresh bags in trashcans and are working with the Juvenile System on using 11-17 year olds as community service workers in our parks.

ADJOURN Unanimous

JEVIN JENSEN, CHAIRMAN

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BLANCA CARDONA, COUNTY CLERK

DATE: / /