

**MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, OCTOBER 11, 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 (via teleconference)  
Robby Staten, Member (ABSENT)  
John Thomas, Member  
Greg Jones, Member

**Others Present:**

Robert Smalley, County Attorney  
Department Heads  
Citizens  
Press

**Motion was made by Commissioner Jones and seconded by Commissioner Thomas to approve the agenda as presented. The motion was approved 3-0, with Commissioners, Jones, Thomas, and Robbins in agreement.**

**Approval of Minutes:** Motion was made by Commissioner Jones and seconded by Commissioner Thomas to approve the September 13, 2021 Regular Business Meeting and September 20, 2021 Special Called Meeting minutes as presented. The motion was approved 3-0, with Commissioners Jones, Thomas, and Robbins in agreement.

**PROCLAMATION**

**Dysautonomia Awareness Month October, 2021:** Motion was made by Commissioner Jones and seconded by Commissioner Thomas to proclaim October 2021 as Dysautonomia Awareness Month in Whitfield County, Georgia. The motion was approved 3-0, with Commissioners Jones, Thomas and Robbins in agreement.

**Chairman's Report:** Chairman Jensen informed the Board and audience the 2022 budget meetings will begin soon and are open to the public. Jensen also informed the Board municipal elections will be held on November 2, 2021 and Whitfield Transit is providing transportation during early voting to the Courthouse. Jensen further noted the County is working on improving employee engagement and retention.

**Report from Commissioners:**

Commissioners Jones noted he'd like the Board to consider a no jake brakeing resolution. Jones further noted he has received several calls from citizens regarding this issue. Commissioner Robbins informed the Board he attended a Dalton-Whitfield Community Development Corporation meeting and reported that out of 109 applicants for housing assistance, only 44 resided outside of Dalton City limits. Robbins further noted that the BOC had approved funding of \$30,000 for housing assistance for Whitfield County. Commissioner Thomas did not have any updates to report for this month.

**County Administrator Report:**

County Administrator Robert Sivick noted that he has met with several community leaders, department heads, and city officials during the past two weeks.

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**August 2021 Financial Statement:** Motion was made by Commissioner Jones and seconded by Commissioner Thomas to approve the August 2021 Financial Statement as presented by Finance Director James Garvin. Local Option Sales Tax (LOST) collections: Local Option Sales Tax (LOST) collections: August collections of \$1,071,627 were 11.75% greater than budgeted collections of \$958,333. This was 3.5% greater than July collections of \$1,035,582. YTD collections of \$8,425,602 were 4.25% greater than PY collections of \$8,085,266 for the same time frame. TAVT collections: August collections of \$437,279 were 3.5% greater than July collections of \$421,936. YTD collections of \$3,583,420 were 20% greater than PY collections of \$2,983,070 for the same time frame. YTD actual revenues of \$21,052,510 were greater than projected revenues of \$19,113,411 by \$1,939,100 or 10%. YTD actual expenditures of \$32,078,834 were less than projected expenditures of \$33,112,709 by \$1,033,876 or 3%. The motion was approved 3-0, with Commissioners Thomas, Jones and Robbins in agreement.

**PUBLIC COMMENT:**

Matthew Totten representing SBA Communications Corporation, stated they oppose the application from Towersource for a cell tower special use permit.

Andy Rotenstreich representing Towersource/Tillman Infrastructure, noted the planning commission voted in favor of the cell tower during its September meeting.

**Public Hearing:**

**Closing Audrey Drive and a portion of Timmy Lane:**

Chairman Jensen called the public hearing to order.

There were no speakers for or against this petition, Chairman Jensen closed the public hearing.

**Second Reading Alcohol Beverage Ordinance – Farm Wineries:** Motion was made by Commissioner Thomas and seconded by Commissioner Jones to approve amending Chapter 3 of the Code of Ordinances, captioned Alcohol Beverages by creating new sections 3-25, Farm Wineries – Permitted Activities and section 3-26, Farm Wineries – Licensee Requirements and qualifications; and for other purposes. The motion was approved 3-0, with Commissioners Jones, Thomas and Robbins in agreement.

**First Reading Ordinance – Text Amendments to the Alcohol Beverage Ordinance:** Chairman Jensen informed the Board this ordinance will amend Chapter 3 Alcohol Beverages by amending sections 3-38 and 3-39 clarifying applicants for a license must be a US Citizen or a Permanent Resident and to remove the requirement of the spouse criminal background check. No action was taken at this time.

**Close and Abandon Audrey Drive and a Portion of Timmy Lane:** Motion was made by Commissioner Jones and seconded by Commissioner Thomas to close and abandon Audrey Drive and a portion of Timmy Lane located in Land Lot 147 of the 9<sup>th</sup> district and 3<sup>rd</sup> section of Whitfield County, Georgia and issue a quit claim deed. The motion was approved 3-0, with Commissioners Jones, Thomas and Robbins in agreement.

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**Alcohol Beverage License Suspension:** Motion was made by Commissioner Thomas and seconded by Commissioner Jones to suspend the following alcohol beverage licenses: On-Premise Malt Beverage license for Autry's Diner, located at 4111 S. Dixie Hwy, Unit 9000, Dalton, GA, and On-Premise Malt Beverage license for Brotherhood Billiards located at 4111 S. Dixie Hwy, Unit 4000. Rick Autry Jr.'s court date is at the end of October, depending on the outcome of the proceeding, the Board may choose to revoke the licenses. The motion was approved 3-0, with Commissioners Robbins, Thomas and Jones in agreement.

**Rezoning Recommendations:** Motion was made by Commissioner Jones and seconded by Commissioner Thomas to approve the following rezoning requests recommended by the planning commission: request of **Lindsey Cox to rezone from Suburban Agricultural (SA) to Rural Residential (R-5) a tract of land totaling 1.0 acres located on Mount Pleasant Road, Dalton, Georgia. Parcel (10-077-02-000), Brass Holdings, LLC to rezone from Heavy Manufacturing (M-2) to Rural Residential (R-5) a tract of land totaling 2.61 acres located at 1345 Tunnel Hill-Varnell Road, Dalton, Georgia. Parcel (11-261-13-000) and Aron Ortiz to rezone from Heavy Manufacturing (M-2) to Rural Residential (R-5) a tract of land totaling 1.72 acres located at Cavender Road, Dalton, Georgia. Parcel (12-354-62-000).** The motion was approved 3-0, with Commissioners Thomas, Jones and Robbins in agreement.

**Special Use Permit – Towersource:** Motion was made by Commissioner Jones and seconded by Commissioner Thomas to approve the Special Use permit request of **Towersource to obtain a Special Use Permit for a telecommunications tower for a tract of land totaling 19.42 acres zoned Rural Residential (R-5) and located at 846 Fennel Drive. Parcel (13-243-09-000).** The proposed tower would be 200' tall with a 5' lightning rod and would have 5G technology. The proposed tower's use is for first responder communication. The motion was approved 3-0, with Commissioners Robbins, Jones and Thomas in agreement.

**Resolution to Authorize Application – CDBG-CV:** Motion was made by Commissioner Thomas and seconded by Commissioner Jones to sign the Resolution to Authorize Application for the Community Development Block Grant (CDBG-CV). The Resolution authorizes the filing of a 2021 Community Development Block Grant (CDBG) application to the Georgia Department of Community Affairs (DCA) and authorizes the Chairman to act in connection with the application and provide such other and further information necessary to DCA. The motion was approved 3-0, with Commissioners Jones, Robbins and Thomas in agreement.

**Courtroom Evidence Presentation System Contract Amendment:** Motion was made by Commissioner Jones and seconded by Commissioner Thomas to approve the contract amendment from WH Platts Company for \$582,204. Due to worldwide supply chain disruptions the Creston Electronic items will be substituted with Kramer electronic items. The motion was approved 3-0, with Commissioners Jones, Robbins and Thomas in agreement.

**Human Resources Department:** Chairman Jensen informed the Board he is working with HR Director Jackie Carlo on negotiating a new pharmacy contract to benefit County employees and evaluating expanding early retirement options for other departments.

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**State Fiscal Recovery Fund – Terms and Conditions:** Motion was made by Commissioner Thomas and seconded by Commissioner Jones to approve the terms and conditions of the Coronavirus State Fiscal Recovery Funds (CSFRF) of the American Rescue Plan Act (ARPA) and authorize Chairman Jensen to sign the agreement. The grant agreement sets forth the terms and conditions applicable to payments distributed by the State in the form of payments using grant funds to the County from the State Fiscal Recovery Fund (SFRF) established within the American Rescue Plan Act (ARPA). The grant is for public safety officials and first responders pay supplements. The motion was approved 3-0, with Commissioners Jones, Robbins and Thomas in agreement.

**Finance – 2021 3<sup>rd</sup> Quarter Budget Amendments:** Motion was made by Commissioner Jones and seconded by Commissioner Thomas to approve the 3<sup>rd</sup> quarter budget amendments as presented by Finance Director James Garvin. The budget amendment includes reducing net revenue of \$2.294 million due to property tax cut. Various department adjustments of \$100,673 from contingency, 25% match for a Felony Domestic Violence Court, allocation of educational assistance program expenditures for several departments. The motion was approved 3-0, with Commissioners Thomas, Robbins and Jones in agreement.

**Sheriff's Office – Ten (10) Large Scale Police Pursuit Vehicles Purchase:** Motion was made by Commissioner Thomas and seconded by Commissioner Jones to approve the purchase of 10 large scale SUV pursuit vehicles in the amount of \$383,143 from Donohoo Chevrolet. The 2020 SPLOST will fund this purchase. The motion was approved 3-0, with Commissioners Thomas, Jones and Robbins in agreement.

**Winnwood Road – Property Owner Purchase of ROW:** Motion was made by Commissioner Jones and seconded by Commissioner Thomas to issue Judith Annette Krafft a quit claim deed for the western ROW of Winnwood Road. Ms. Krafft will purchase the ROW at the fair market value price of \$8,141.43. This ROW was deeded to the County during the construction of the South Bypass. The motion was approved 3-0, with Commissioners Thomas, Jones and Robbins in agreement.

**Juvenile Court – Court Attorney Contract:** Motion was made by Commissioner Thomas and seconded by Commissioner Jones to approve the Independent Contractor's Agreement between Whitfield County Juvenile Court and Jerry Moncus. Mr. Moncus will provide legal representation in all indigent cases as determined by the Whitfield County Juvenile Court. The motion was approved 3-0, with Commissioners Jones, Robbins and Thomas in agreement.

**Update of the Title VI Program for Whitfield County Transit Service:** Motion was made by Commissioner Thomas and seconded by Commissioner Jones to approve the update of the Title VI Program for Whitfield County Transit Service. As a sub-recipient of Federal Transit Administration funding, Whitfield County is required to update the Title VI program on a triennial basis. Updates to the program include maps that reflect the most recent census data, transit operational breakdown and structure revision. The motion was approved 3-0, with Commissioners Jones, Thomas and Robbins in agreement.

**Fire Department – Fire Stations 1-6 Environmental Services:** Motion was made by Commissioner Jones and seconded by Commissioner Thomas to approve the emergency purchase of environmental services for \$188,852 to Clean Heating and Air for rehabilitative environmental services for Stations 1-6. The expense is ARP (American Rescue Plan) eligible. The motion was approved, 3-0, with Commissioners Robbins, Thomas and Jones in agreement.

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**Fire Department – Fire Stations 1-6 HVAC Systems Upgrade:** Motion was made by Commissioner Jones and seconded by Commissioner Thomas to approve the quote from Clean Heating and Air for \$98,700 for HVAC system replacements with enhanced filtration and UV light treatments for Stations 1-6. The expense is ARP (American Rescue Plan) eligible. The motion was approved, 3-0, with Commissioners Robbins, Thomas and Jones in agreement.

**Public Works – Ratify Head Road Repair:** Motion was approved by Commissioner Thomas and seconded by Commissioner Jones to ratify the contract for professional services with Wilson Construction Management for \$318,519. The project consists of reconstructing 270 linear feet of Head Road that have failed, the new roadway section will consist of two 10 ft asphalt lanes in each direction. There will be a concrete V-ditch on the south side of the roadway. The motion was approved 3-0, with Commissioners Robbins, Jones and Thomas in agreement.

**PUBLIC COMMENT:**

Larry Swanson addressed the Board regarding TAD (tax allocation districts) in Whitfield County. Mr. Swanson suggested the BOC hold an informational session on TADs for the public. Chairman Jensen noted they are working on an informational session to be held in the upcoming months regarding TADs.

Comment on FACEBOOK from Shannon Bearfield. Ms. Bearfield commented the BOC should stop renovating parks and courthouses and fix the fire stations instead.

Commissioner John Thomas noted he'd be in favor of building new fire stations in Whitfield County.

**ADJOURN** Unanimous

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JEVIN JENSEN, CHAIRMAN  
WHITFIELD COUNTY BOARD OF COMMISSIONERS

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BLANCA CARDONA, COUNTY CLERK

DATE: / /