

**MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, AUGUST 8, 2022, AT 6:00 P.M. AT THE COURTHOUSE BOC MEETING ROOM LOCATED AT 205 N. SELVIDGE 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:**

Robert Smalley, County Attorney  
Robert Sivick, County Administrator  
Department Heads  
Citizens  
Press

**Motion was made by Commissioner Robbins and seconded by Commissioner Staten to amend the agenda by adding Item # 21 – Ratify Deed for Crown Castle Cell Tower. The motion was approved 4-0, with Commissioners Staten, Robbins, Thomas and Jones in agreement.**

**Approval of Consent Agenda Item:** Approve any budget amendment for 2022 as needed by our financial auditors and in compliance with all state regulations for approved items and passing votes from last month's public Board of Commissioners meeting.

**Approval of Minutes:** Motion was made by Commissioner Thomas and seconded by Commissioner Jones to approve the July 11, 2022 Regular Business Meeting Minutes as presented. The motion was approved 4-0, with Commissioners Jones, Robbins, Staten and Thomas in agreement.

**Chairman Jensen recognized Jess Hansen as Employee of the Month for June 2022. Mr. Hansen works in the GIS Department.**

**Chairman's Report:** Chairman Jensen noted an open house would be held on August 18, at 6:00 p.m. for members of the public to view the donated art collection of Robert Webb and tour the renovated portion of the Courthouse.

**Report from Commissioners:**

Commissioner Staten thanked the various departments on the completion of the BOC meeting room and the recent grand opening of Rocky Face Ridge.  
Commissioners Jones, Thomas and Robbins did not have any reports.

**County Administrator Report:**

County Administrator Robert Sivick updated the Board on the ARPA Non-Profit Grant Committee; Sivick noted applications will be accepted beginning September 1<sup>st</sup>. Sivick also noted that GDMPO Coordinator Jake Bearden will be speaking on Aug. 23 at the Thrive 2022 Transportation Forum in Rossville, GA.

**June 2022 Financial Statement:** Motion was made by Commissioner Staten and seconded by Commissioner Robbins to approve the June Financial Statement as presented by Finance Director James Garvin. June collections of \$1,270,292 were 19.5% greater than budgeted collections of \$1,062,500. This was 4.5% greater than May collections of \$1,217,194. YTD collections of \$7,098,682 were 12.25% greater than PY collections of \$6,318,392 for the same time frame. TAVT collections: June collections of \$438,345 were 2.5% less than May collections of \$449,334. YTD collections of \$2,676,541 were 1.75% less than PY collections of \$2,724,205 for the same time frame. YTD actual revenues of \$19,598,947 were greater than projected revenues of \$18,615,731 by \$983,216 or 5.25%.

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YTD actual expenditures of \$25,366,135 were greater than projected expenditures of \$24,787,277 by \$578,859 or 2.25%. The motion was approved 4-0, with Commissioners Staten, Robbins, Thomas and Jones in agreement.

**PUBLIC COMMENTS:**

Vicky Alt, who resides at 1066 Cohutta Beaverdale Rd, addressed her concerns about large housing developments.

Matt Coker, who resides at 4485 Cohutta Varnell Rd, also addressed his concerns about large housing developments.

**Rezoning Recommendation:** Motion was made by Commissioner Jones and seconded by Commissioner Staten to approve the following rezoning request of Gregory Greeson to rezone from Low Density Single Family Residential (R-2) to Rural Residential (R-5) a tract of land totaling 3.47 acres located at 272 LaFayette Road, Rocky Face. Parcel (12-151-10-000). The motion was approved with the following conditions; that no manufactured homes or duplexes be permitted on the property in order to protect the site-built single-family detached character of this area. The motion was approved 4-0, with Commissioners Staten, Robbins, Thomas and Jones in agreement.

**Rezoning Recommendation:** Motion was made by Commissioner Thomas and seconded by Commissioner Staten to send the request of Winkler and Grant Properties to rezone from General Agriculture (GA) to Medium Density Single Family Residential (R-3) a tract of land totaling 111.84 acres located on Rauschenberg Road, Dalton, GA. Parcel (11-281-02-000) back to the Planning Commission with the following suggestions/concerns to consider; a minimum of 1600 sq. ft. home size, two car garages, lot sizes minimum of  $\frac{3}{4}$  of an acre, and traffic on Rauschenberg Rd. The motion was approved 4-0, with Commissioners Staten, Robbins, Thomas and Jones in agreement.

**City of Dalton – parcel 12-179-02-048:** Motion was made by Commissioner Robbins and seconded by Commissioner Staten for no land use classification objection to tax parcel number 12-179-02-048. The motion was approved 4-0, with Commissioners Staten, Robbins, Jones and Thomas in agreement.

**Resolution to Authorize Application – Reconnecting Communities Pilot Grant:** Motion was made by Commissioner Staten and seconded by Commissioner Thomas to approve the resolution to apply for a planning grant under the 2022 Reconnecting Communities Pilot (RCP) grant program. The purpose of the RCP Program is to reconnect communities by removing, retrofitting, or mitigating transportation facilities such as highways and rail lines that create barriers to community connectivity including to mobility, access, or economic development. If awarded, the grant will fund a planning study, public engagement, and other transportation planning activities for a reconnection project in the Cohutta community. The maximum match commitment for the County is \$400,000 for a maximum federal award of \$1,600,000. The grant application is due October 13, 2022. The attached resolution authorizes the filing of the application and further authorizes the Chairman and designated County staff to act in connection with the application. The motion was approved 4-0, with Commissioners Jones, Robbins, Staten, and Thomas in agreement.

**Juvenile Court – 2023 Delinquency Prevention Program Grant:** Motion was made by Commissioner Robbins and seconded by Commissioner Jones to approve Juvenile Court applying for the FY 2023 Delinquency Prevention Grant. The Delinquency Prevention Grants Program provides financial and technical assistance to implement the Strengthening Families Program 7-17 (SFP 7-17). This grant provides funding for the implementation of SFP 7-17 to youth who are first time offenders, diverted from

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the juvenile justice system, or charged with a CHINS offense and identified as at-risk. The maximum dollar amount per award for new applicants is \$25,000, with no County match required. The award period is October 1, 2022 - September 30, 2023. Awarded agencies will be eligible for continued funding through September 30, 2025. The application deadline is Friday, August 19, 2022. The motion was approved 4-0, with Commissioners Staten, Robbins, Jones and Thomas in agreement.

**Contract for Superior Court – Court Reporter:** Motion was made by Commissioner Staten and seconded by Commissioner Jones to approve the Independent Contractor’s Agreement with Whitfield County and Nikki Holcomb to perform the Duties of Court Reporter for Whitfield County Superior Court Judge Minter. The motion was approved, 4-0, with Commissioners Staten, Robbins, Thomas and Jones in agreement.

**Parks & Recreation – Rocky Face Ridge Off-Road Vehicle Purchase:** Motion was made by Commissioner Robbins and seconded by Commissioner Jones to approve the following purchase for an off-road maintenance vehicle at Rocky Face Ridge Park for \$15,992.42 using Sourcewell contract purchasing. This purchase will utilize SPLOST 2020 funds. The motion was approved 4-0, with Commissioners Staten, Robbins, Jones and Thomas in agreement.

**Public Works – Vehicle Surplus:** Motion was made by Commissioner Staten and seconded by Commissioner Thomas to declare the following as surplus and to auction on GovDeals.com. A 2008 Ford F-150 4wd Ext Cab, S/N 1FTRFI4W48KD88716, Mileage- 150750 Reason for surplus, Engine & Air Condition issues, Estimated cost \$4,401.23 and a 2009 Ford F-150 4wd Crew Cab S/N 1FTRW14879KC82232, Mileage- 137800 Reason for surplus, Engine, Front axle issues and body damage, Estimated cost \$4,881.00. The motion was approved 4-0, with Commissioners Robbins, Thomas, Jones and Staten in agreement.

**EMA – Motorola Service Agreement Contract:** Motion was made by Commissioner Thomas and seconded by Commissioner Jones to enter into an agreement with Motorola for support and services on three tower sites until December 2022 for \$86,488.45. The current agreement will expire on August 31, 2022, without this agreement the EMA radio system would be difficult and expensive to use. The motion was approved 4-0, with Commissioners Robbins, Thomas, Jones and Staten in agreement.

**Fire Dept. – Additional Gas/Oil Funding:** Motion was made by Commissioner Robbins and seconded by Commissioner Staten to approve an increase of \$75,000 to the Fire Dept. for gasoline an oil due to rising fuel costs nationwide. The motion was approved 4-0, with Commissioners Robbins, Thomas, Staten and Jones in agreement.

**Fire Dept. – GA Power Easement for Tree Trimming:** Motion was made by Commissioner Robbins and seconded by Commissioner Thomas to approve a tree trim/clearing easement with GA Power. Ga Power will compensate the County \$1,379.00, which is based upon the length of the easement. The motion was approved, 4-0, with Commissioners Staten, Robbins, Thomas and Jones in agreement.

**Approve the LOST (Local Option Sales Tax) Certificate of Distribution:** Motion was made by Commissioner Thomas and seconded by Commissioner Jones to approve the LOST Certificate of Distribution with the Cities of Dalton, Varnell, Tunnel Hill and Cohutta for the years of 2023 -2032. The percentages are as follows; Dalton 36.00%, Varnell 1.894%, Tunnel Hill .929%, Cohutta .720% and Whitfield County 60.457%. The LOST was approved by the Cities with the following conditions Dalton – Whitfield to amend Roads/Bridges SDS Agreement, County to continue providing \$200,000 cash payment annually for City paving projects. Payment will be due by January 31st each year. Parties agree to remove SDS references to in-kind work (City will no longer be required to provide a list of roads to the

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County, since revised agreements calls for annual payment due by January 31st.) Dalton – Whitfield to amend Stormwater/Soil Erosion SDS Agreement Parties agree to reduce City's annual payment for stormwater/soil erosion/engineering services to \$87,500 annually (to be paid in monthly installments) and remove references to the City purchasing vehicles for the County. Dalton – Whitfield and other municipalities (Cohutta, Varnell, and Tunnel Hill) to Update Various SDS Agreements set to expire on October 31, 2022. Many SDS agreements are out of date and do not match current operating practices. Parties agree to evaluate streamlining other services through SDS where opportunities present themselves. Parties agree to dissolve Jointly-Funded Services Special Tax District, County Agrees to take over ownership, operation, and funding of the Senior Center beginning January 1, 2023, City will reimburse County \$425,000 in SPLOST funding for Senior Center renovations, County will increase fund balance of JDA and both Dalton-Whitfield will be able to reduce annual JDA operating budget funding. The motion was approved 4-0, with Commissioners Jones, Thomas, Robbins and Staten in agreement.

**Finance Dept. – Purchasing Policy Amendment:** Motion was made by Commissioner Staten and seconded by Commissioner Robbins to approve amending the purchasing policy originally passed in 2016. The approved amendments are as follows: PO's may be issued for up to \$5,000 without obtaining quotes, increased from \$2,499.99. PO's issued for amounts between \$5,000 and \$25,000 require, if possible, at least three quotes. The prior limit for quotes was \$14,999.99. PO's issued for amounts greater than \$25,000 require bidding or RFP's. The previous point at which bids were required was \$15,000. The County Administrator may approve change orders for community facility/capital project improvements totaling fifteen percent (15%) or \$30,000.00 of the original contract, whichever is less, increased from 10% or \$15,000. The motion was approved 4-0, with Commissioners Staten, Jones, Thomas and Robbins in agreement.

**Public Works Contract Price Amendment – Asphalt Paving Systems:** Motion was made by Commissioner Jones and seconded by Commissioner Thomas to approve the change order for \$22,026.70 for Asphalt Paving Systems. This project contract was awarded to Asphalt Paving Systems at the November 2021 Board meeting for an estimated cost of \$450,000. The final cost is \$472,026.70. The additional \$22,026.70 is due to pre vs post-coverage measurement amounts and required additional leveling. The motion was approved 4-0, with Commissioners Robbins, Jones, Staten and Thomas in agreement.

**Parks and Recreation Budget Amendment:** Motion was made by Commissioner Staten and seconded by Commissioner Robbins to approve a 2022 budget amendment of \$56,400 for the parks and recreation department. The Recreation Dept. requests the following budget increases: Vehicle Repair = \$1,000, Equipment Repair & Maintenance = \$1,400 Athletic Officials Fees = \$12,000, Janitorial Supplies = \$16,500 Utilities = \$20,000 Gas & Oil = \$5,500. These higher costs are due to increased participation in various programs, which drives up demand for athletic officials and program related supplies. Inflationary price pressure is also a factor. The budget amendment will come out of the contingency funds. The motion was approved 4-0, with Commissioners Robbins, Jones, Staten and Thomas in agreement.

**Sheriff's Office – Budget Amendment Additional Gas/Oil Funding:** Motion was made by Commissioner Staten and seconded by Commissioner Robbins to approve an increase of \$225,000 to the Sheriff's Office for gasoline and oil due to rising fuel costs nationwide. The motion was approved 4-0, with Commissioners Robbins, Thomas, Staten, Robbins and Jones in agreement.

**BOC Administration – Budget Amendment:** Motion was made by Commissioner Staten and seconded by Commissioner Robbins to approve a 2022 budget amendment of \$19,600 for the BOC Administration Office. The Administration Office is requesting the following budget increases due to the rising costs for services and products, codification of ordinances, BOC members attending ACCG training/conferences in

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person rather than virtual, Vehicle Repair = \$3,500.00 - Brakes & Tires for BOC Office Vehicle, Communications = \$500.00 - cameras @ RFR Park, Professional Association Dues = \$600.00 - County Administrator ICMA membership, travel-Conventions-seminars = \$7,500.00 - lodging for classes/conferences, Training = \$5,000 - resuming in person conf. and classes for BOC members, Small Equipment = \$2,500.00 - furniture for offices. The budget amendment will come out of the contingency funds. The motion was approved 4-0, with Commissioners Robbins, Jones, Staten and Thomas in agreement.

**Finance – 2022 Mid-Year Budget Amendments:** Motion was made by Commissioner Jones and seconded by Commissioner Staten to approve several 2022 budget amendments. The budget amendments include recurring software costs that were not paid in 2021, decreases in contingency and transfer of funds for capital projects. The motion was approved 4-0, with Commissioners Staten, Thomas, Robbins and Jones in agreement.

**Ratify – Deed for Crown Castle Cell Tower:** Motion was made by Commissioner Jones and seconded by Commissioner Thomas to ratify the temporary easement of access and utility rights to Crown Castle Towers 06-02 LLC. The easement is for temporary right of entry, access rights, rights of ingress and egress for vehicular and pedestrian traffic and the right to provide utility wires, poles, conduit, and related equipment and materials over, across and through County property located on land near the Carbondale Industrial Park. The motion was approved 4-0, with Commissioners Jones, Staten, Thomas and Robbins in agreement.

**PUBLIC COMMENTS:**

Jesse Peeples address the board to voice his concern about the hotel being built at the Old City Jail.

Susan Lowe noted to the Board that she would like to keep the Town of Cohutta as it is now without large housing developments.

Daryl Long addressed the Board to say the County Zoning Ordinance was put into place for the County to have a plan for development, but he had noted to them the County should not restrict what a property owner can do with their land.

**Executive Session – Personnel:** Motion was made by Commissioner Robbins and seconded by Commissioner Jones to go into executive session to discuss Personnel Matters. Present for the meeting were Chairman Jevin Jensen, Commissioners Robbins, Jones, Thomas and Staten, County Attorney Robert Smalley, County Administrator Bob Sivick, and Human Resources Director Jacqueline Carlo. The motion was approved 4-0, with Commissioners Robbins, Thomas, Jones, and Staten in agreement.

Motion was then made by Commissioner Jones and Staten to come out of executive session. The motion was approved 4-0, with Commissioners Robbins, Thomas, Jones and Staten in agreement.

**ADJOURN** Unanimous

  
JEVIN JENSEN, CHAIRMAN  
WHITFIELD COUNTY BOARD OF COMMISSIONERS

  
BLANCA CARDONA, COUNTY CLERK

DATE: / /