

MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, DECEMBER 12, 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 approve the agenda as presented. 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 Jones and seconded by Commissioner Thomas to approve the November 14, 2022 Regular Business Meeting. The motion was approved 4-0, with Commissioners Staten, Jones, Robbins and Thomas in agreement.

County Administrator Robert Sivick read the Congressional Honor from Senator John Ossoff to America Gruner - CEO of Coalition de Lideres Latinos.

Chairman's Report: Chairman Jensen informed the audience about a new speed detection devices that will be used to deter speeders in the County. Jensen also noted the proposed budget for 2023 is online for review and is scheduled to be approved on Dec. 19th, with a public hearing to be held at the Dec. 12 regular business meeting.

Report from Commissioners:

Commissioner Staten thanked the budget team for all their hard work in preparing the 2023 budget. Commissioner Robbins noted that the Library is now open on Saturdays and has held multiple events this year. Commissioners Jones and Thomas did not have any reports.

County Administrator Report: County Administrator Robert Sivick updated the Board about a recent Stormwater Stakeholders Meeting, the upcoming 5-year Comprehensive Plan and Road and Sewer Projects.

October 2022 Financial Statement: Motion was made by Commissioner Robbins and seconded by Commissioner Thomas to approve the October Financial Statement as presented by Finance Director James Garvin. Local Option Sales Tax (LOST) collections: October collections of \$1,273,978 were 20% greater than budgeted collections of \$1,062,500. This was 4% greater than September collections of \$1,224,609. YTD collections of \$11,947,741 were 13.25% greater than PY collections of \$10,552,106 for the same time frame. TAVT collections: October collections of \$403,812 were 1.25% greater than September collections of \$398,643. YTD collections of \$4,299,474 were 2.5% less than PY collections of

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\$4,410,880 for the same time frame. YTD actual revenues of \$29,595,979 were greater than projected revenues of \$27,769,612 by \$1,826,367 or 6.5%. YTD actual expenditures of \$41,925,390 were greater than projected expenditures of \$41,016,735 by \$908,655 or 2.25% for the same time frame. The motion was approved 4-0, with Commissioners Staten, Robbins, Thomas and Jones in agreement.

PUBLIC COMMENTS:

Lily Clark addressed the Board about the lack of affordable housing in Whitfield County. Tracy Ward addressed the Board about the subdivision ordinances and asked the board to postpone approval.

2023 Budget Public Hearing:

Chairman Jensen opened the 2023 budget public hearing.

Jerry Leonard asked the Board to raise the starting wages of the County's public safety employees.

Fire Chief Ed O'Brien also asked the Board to raise starting wages for public safety employees.

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

For Consideration Old Business

Chapter 13, Site Construction Standards: Chairman Jensen informed the Board and public of the proposed amendment to Chapter 13 of the Code of Ordinances of Whitfield County to be amended by eliminating the redundancy for public road design standards and driveway location requirements as currently outlined in Chapter 14 of the Code of Ordinances of Whitfield County, and for other purposes.

Chapter 14, Site Design: Chairman Jensen informed the Board and public of the proposed amendment to Chapter 14 of the Code of Ordinances of Whitfield County to be amended by redefining public road design standards and driveway location requirements, and for other purposes.

Chapter 15, Subdivision Regulations: Chairman Jensen informed the Board and public of the proposed amendment to Chapter 15 of the Code of Ordinances of Whitfield County to be amended by adding the county engineer's certificate of approval with respect to ingress/egress for final minor subdivision plats, and for other purposes.

Motion was made by Commissioner Jones and seconded by Commissioner Staten to postpone approval of these ordinances. The motion was approved 4-0, with Commissioners Staten, Robbins, Jones and Thomas in agreement.

Resolution – Thriving Communities Program Grant Application: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to approve the grant application resolution for the County admin is seeking ratification of the application for the Thriving Communities Program (TCP) from the U.S. Department of Transportation. TCP facilitates the planning and development of transportation and community revitalization activities and provides tools to ensure that under-resourced communities can access the historic funding provided in the Bipartisan Infrastructure Law. Beginning in 2023, the Thriving Communities Program (TCP) will provide technical assistance, planning, and capacity building support to communities that may lack the staffing or technical expertise to scope, fund, and develop infrastructure projects that advance broader community goals. The TCP will provide two years of deep-dive assistance to selected communities to help them plan and develop a pipeline of comprehensive transportation, housing, and community revitalization activities. There is no cost to the County to receive this support. The County is pursuing technical assistance to develop a "master plan"

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that will surround Roan Street Elementary with ADA-compliant sidewalk, and improve the playground. This was decided after Whitfield County Census Tract 4 was identified as historically disadvantaged in all 7 qualifying indicators. The area's neighborhoods would greatly benefit from increased safe access to the educational and recreational resources in the area, especially since MLK Jr. Blvd. is a major thoroughfare with high traffic counts. The County is partnering with a number of other organizations on this project. The motion was approved 4-0, with Commissioners Staten, Robbins, Jones and Thomas in agreement.

Rezoning Recommendations: Motion was made by Commissioner Jones and seconded by Commissioner Robbins to approve the recommendations of the planning commission regarding the following requests; a. Charles Smith - parcel (27-133-18-000) to deny rezoning, b. Hugh Wilkins - parcel (13-170-01-003) to approve rezoning, c. Salvador Garcia - parcel (13-009-01-000) to deny rezoning, d. Eclipse Cottages - parcels (13-005-03-000, 13-005-04-000, 13-005-06-000) to approve rezoning, e. Bryan Spence parcel (12-281-06-000) to approve conditions, and f. Earl Eleton parcel (12-311-26-000) to approve rezoning. The motion was not approved 2-3, with Commissioners Robbins and Jones in agreement. Commissioners Staten, Thomas and Chairman Jensen voting nay.

Rezoning Recommendation: Motion was made by Commissioner Robbins and seconded by Commissioner Jones to deny the rezoning request of Charles Smith to rezone from General Agriculture (GA) to Rural Residential (R-5) a tract of land totaling 10.49 acres located at 1496 Houston Valley Road, Ringgold, Georgia. Parcel (27-133-18-000). The motion to deny was approved 4-0, with Commissioners Staten, Robbins, Thomas and Jones in agreement.

Rezoning Recommendation: Motion was made by Commissioner Jones and seconded by Commissioner Staten to approve the request of Hugh Wilkins to rezone from Suburban Agriculture (SA) to General Agriculture (GA) a tract of land totaling 15.64 acres located on Old Dixie Highway, Dalton, Georgia. Parcel (13-170-01-003). The motion was approved 4-0, with Commissioners Staten, Robbins, Jones and Thomas in agreement.

Rezoning Recommendation: Motion was made by Commissioner Robbins and seconded by Commissioner Jones to deny the request of Salvador Garcia to rezone from Low Density Single Family Residential (R-2) to General Commercial (C-2) a tract of land totaling 1.50 acres located on South Dixie Highway, Dalton, Georgia. Parcel (13-009-01-000). The motion to deny the rezoning was approved 4-0, with Commissioners Staten, Robbins, Jones and Thomas in agreement.

Rezoning Recommendation: Motion was made by Commissioner Staten and seconded by Commissioner Thomas to deny the request of Eclipse Cottages to rezone from Estate Residential (R-1) to General Agriculture (GA) a tract of land totaling 58.64 acres located on North Dug Gap Road, Dalton, Georgia. Parcels (13-005-03-000, 13-005-04-000, 13-005-06-000). The motion to deny the rezoning was approved 3-1, with Commissioners Staten, Thomas, and Jones in agreement. Commissioner Robbins dissented.

Rezoning Recommendation: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to approve the request of Bryan Spence to rezone from Rural Residential (R-5) for modifications to the conditions placed on the September 12, 2022 rezoning for a tract of land totaling 1.65 acres located at 623 Hill Road, Dalton, Georgia. Parcel (12-281-06-000). The motion was approved 4-0, with Commissioners Staten, Robbins, Jones and Thomas in agreement.

Rezoning Recommendation: Motion was made by Commissioner Robbins and seconded by Commissioner Jones to approve the request of Earl Eleton to rezone from General Commercial (C-2) to Low Density Single Family Residential (R-2) a tract of land totaling 0.50 acres located at 1911 Dug Gap

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Road, Dalton, Georgia. Parcel (12-311-26-000). The motion was approved 4-0, with Commissioners Staten, Robbins, Jones and Thomas in agreement.

Fire Department Uniforms: Motion was made by Commissioner Robbins and seconded by Commissioner Jones to approve \$79,372 for Uniforms. WCFD budgeted for their annual expenditure for station uniforms. The annual line expenditure amount will not be used in its entirety for this purchase. Other non-NOMEX items such as duty boots, coats, hoodies and other uniform items will be purchased from this line item. The department will utilize the Sourcewell Contract and the price may vary from listed amount depending on when the order is made. Shirts: \$116.00, Pants: \$116.00. The motion was approved 4-0, with Commissioners Jones, Robbins, Staten and Thomas in agreement.

Fire Department Personal Protective Clothing Purchase: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to approve the low bid for turn out gear from NAFECO for \$69,008. WCFD requests to purchase 20 sets of bunker gear from NAFECO. Local authorized vendor is NAFECO. The annual line expenditure amount will not be used in its entirety for this purchase. We will purchase approximately 20 sets and the remaining funds will be used to replace, boots, gloves, helmets and hoods. Pants: \$1,380.00, Coats: \$1,913.00. The motion was approved 4-0, with Commissioners Staten, Thomas, Jones and Robbins in agreement

Sheriff's Office Server Upgrade: Motion was made by Commissioner Robbins and seconded by Commissioner Jones to approve \$17,940 for Central Square to upgrade the Sheriff's server to run JMS and RMS at the Sheriff's Office against capital projects account. The motion was approved 4-0, with Commissioners Staten, Jones, Thomas and Robbins in agreement.

Engineering Department – Ratify Dawnville/Beaverdale Rd Intersection Bid: Motion was made by Commissioner Staten and seconded by Commissioner Thomas to ratify the quote from Bartow Paving of Cartersville for \$99,963.77 from 2007 SPLOST Funds for work on this intersection. This project realigns Dawnville-Beaverdale Rd at its intersection with Beaverdale Rd so that traffic must stop at a 90-degree intersection before turning right or left. Currently, the intersection is at such a skew that traffic can make right turns without stopping, causing a severe safety issue. Several serious crashes have occurred at the intersection over the past few years. The motion was approved, 4-0, with Commissioners Staten, Robbins, Thomas and Jones in agreement.

ARPA Non-Profit Grant Award Recommendations: Motion was made by Commissioner Robbins and seconded by Commissioner Jones to approve the ARPA Non-Profit Grant awards to 13 non-profit organizations. Commissioners set aside \$1 million for Whitfield County non-profits in ARPA funds. Many local nonprofits struggled to raise funds during the COVID-19 pandemic. Applications were due in September 2022 for this grant and requests totaled over \$3.1 million in one-time reimbursement from 19 applicants. The BOC formed a local non-profit grant committee which was tasked with accepting and reviewing grant applications from local non-profits for COVID related revenue loss and expense reimbursement and/or COVID eligible programmatic funding. The BOC made available 5% of the County's ARPA funding or \$1,016,138, 16 local non-profits applied and requested a total of \$3,117,623.13 of those organizations were deemed eligible and their total requests were \$2,548,205. The committee has completed its review and recommends providing \$1,016,138 in funding awards. The motion was approved 4-0, with Commissioners Robbins, Staten, Jones and Thomas in agreement.

PUBLIC COMMENTS:

Mary Thelma Norris, Director of the Friendship House, questioned the application process of the ARPA Non-Profit grants. County Administrator let Ms. Norris know he will get in contact with her to discuss it further.

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Jaime McCutchen asked the Board if they could recommend a better location within the County to develop his clients proposed tiny-home rental units.

ADJOURN Unanimous



JEVIN JENSEN, CHAIRMAN
WHITFIELD COUNTY BOARD OF COMMISSIONERS



BLANCA CARDONA, COUNTY CLERK

DATE: 1/9/2023