

MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, JUNE 13, 2022, 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:

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

Motion was made by Commissioner Jones and seconded by Commissioner Staten to amend the agenda by adding Item # 28a. Resolution 401(a) Defined Contribution Plan Amendment, #28b. District Attorney – SPCR Contract Renewal. The motion was approved 4-0, with Commissioners Staten, Thomas, Jones and Robbins in agreement.

Approval of Consent Agenda Item: Approve any budget amendment for 2021 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 Staten and seconded by Commissioner Thomas to approve the May 9, 2022 Regular Business Meeting Minutes as presented. The motion was approved 4-0, with Commissioners Jones, Staten, Thomas and Robbins in agreement.

Chairman Jensen recognized Jacob Bearden as Employee of the Month for April 2022. Mr. Bearden works in the Engineering Department and is the Greater Dalton MPO (Metropolitan Organization Coordinator).

Whitfield High Schools Soccer Champions – Motion was made by Commissioner Robbins and seconded by Commissioner Staten to ratify the proclamation of congratulations to the Whitfield County High School Soccer Teams for an incredible season. The motion was approved 4-0, with Commissioners Jones, Robbins, Staten and Thomas in agreement.

PUBLIC HEARINGS

Chairman Jensen called for a Public Hearing to hear any comments or concerns the public may have regarding alcohol license applications for 1. Dixie Food Mart located at 2101 S. Dixie Hwy, 2. Family Dollar #21503 located at 2410 Cleveland Hwy and 3. Jay Tobacco & Beverage located at 2211 E. Morris Street.

There being no questions or comments, Chairman Jensen declared the public hearing closed.

Chairman's Report: Chairman Jensen noted the grand opening of the Animal Shelter was held on June 10. Jensen also noted the Rocky Face Ridge Park will have a grand opening on July 25 at 4:30 p.m.

Report from Commissioners:

Commissioner Thomas, Robbins and Staten did not have any reports.
Commissioner Jones noted bridge repair has begun on Houston Valley Rd.

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County Administrator Report:

County Administrator Robert Sivick updated the Board about being 1 of 10 agencies in the State to receive a CHIP (Community Home Improvement Program) grant through GA DCA. Sivick also noted the grand opening of the Food Bank will be on June 23.

April 2022 Financial Statement: Motion was made by Commissioner Jones and seconded by Commissioner Thomas to approve the April Financial Statement as presented by Finance Director James Garvin. Local Option Sales Tax (LOST) collections: April collections of \$1,268,289 were 19.5% greater than budgeted collections of \$1,062,500. This was 3% greater than March collections of \$1,232,231. YTD collections of \$4,611,196 were 12% greater than PY collections of \$4,123,459 the same time frame. TAVT collections: April collections of \$523,278 were 12.75% greater than March collections of \$464,329. April collections include annual IRP receipts of \$101,497. Net of these, collections were 9.25% less than March. YTD collections of \$1,788,863 were .25% greater than PY collections of \$1,784,983 for the same time frame. YTD actual revenues of \$14,367,594 were greater than projected revenues of \$13,976,579 by \$391,016 or 3%. YTD actual expenditures of \$15,803,767 were greater than projected expenditures of \$15,611,531 by \$192,237 or 1.25% The motion was approved 4-0, with Commissioners Staten, Thomas, Jones and Robbins in agreement.

PUBLIC COMMENTS:

Brandon Roach who resides on Bearden Road in Rocky Face, voiced his concern of the rezoning request of Brass Investments for parcel # 12-117-04-000. Mr. Roach noted he'd like for the Board to limit the density of the proposed property.

PRESENTATION:

Chief Appraiser Ashley O'Donald gave a brief presentation of the process and procedures of the Board of Assessors. O'Donald noted the Assessors office is charged with setting property values for both taxable and exempt property. The office also approves all exemptions such as homestead and agricultural. O'Donald also noted the Department of Revenue and Department of Audits are both agencies that have oversight of the Board of Assessors offices in each County in the State.

Alcohol Beverage License Application – Dixie Food Mart: Motion was made by Commissioner Jones and seconded by Commissioner Staten to approve the Alcohol Beverage Application for a Malt Beverage License for Dixie Food Mart located at 2101 S. Dixie Hwy., Dalton, GA. The motion was approved 4-0, with Commissioners Robbins, Thomas, Staten and Jones in agreement.

Alcohol Beverage License Application – Family Dollar Store#21503: Motion was made by Commissioner Jones and seconded by Commissioner Staten to approve the Alcohol Beverage Application for a Malt Beverage/Wine License for Family Dollar Store #21503 located at 2410 Cleveland Hwy, Dalton, GA. The motion was approved 4-0, with Commissioners Robbins, Staten, Thomas and Jones in agreement.

Alcohol Beverage License Application – Jay Tobacco & Beverage: Motion was made by Commissioner Jones and seconded by Commissioner Staten to approve the Alcohol Beverage Application for a Malt Beverage/Wine License for Jay Tobacco & Beverage located at 2211 E. Morris Street, Dalton, GA. The motion was approved 4-0, with Commissioners Robbins, Staten, Thomas and Jones in agreement.

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Re-Appointment & Resolution to the Whitfield County Board of Tax Assessors: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to re-appoint and approve the resolution for Sandy Duncan to the Whitfield County Board of Tax Assessors to a six-year term, which will expire June 2028. The motion was approved 4-0, with Commissioners Robbins, Staten, Thomas and Jones in agreement.

Re-Appointment to the Dalton-Whitfield Planning Commission: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to re-appoint Eric Barr to a four year term to expire July 2026. The motion was approved 4-0, with Commissioners Robbins, Staten, Thomas and Jones in agreement.

Re-appointment to the Whitfield County Merit System Personnel Board: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to re-appoint Nikki Robinson and Jeff Riddlebarger to the Whitfield County Merit System Personnel Board for a term of five additional years. Nikki Robinson's term will expire on June 2026 and Jeff Riddlebarger in June 2027. The motion was approved 4-0, with Commissioners Robbins, Staten, Thomas and Jones in agreement.

Notification of Superior Courts re-appointment of Carol Byers, Robert Cowan, and Stephen Kelehear as members of the Whitfield County Board of Elections and Registration on April 24, 2022 by Judge William Boyett.

City of Varnell Annexation – parcel 11-263-01-188: Motion was made by Commissioner Thomas and seconded by Commissioner Jones for no land use classification objection to tax parcel number 11-263-01-188. The motion was approved 4-0, with Commissioners Staten, Robbins and Thomas in agreement.

City of Dalton Annexation – parcel 12-184-01-044: Motion was made by Commissioner Staten and seconded by Commissioner Robbins for no land use classification objection to tax parcel number 12-184-01-044. The motion was approved 4-0, with Commissioners Jones, Thomas, Robbins and Staten in agreement.

Rezoning Recommendation: Motion was made by Commissioner Jones and seconded by Commissioner Staten to approve the following rezoning request of Mary Hyder to rezone from Low Density Single Family Residential (R -2) to SA a tract of land totaling 16.14 acres located at 2088 Bowers Road, NE Parcel (09-001-03-000). The Planning Commission recommended approval of the rezoning to SA instead of R-5. The motion was approved 4-0, with Commissioners Staten, Thomas, Jones and Robbins in agreement.

Rezoning Recommendation: Motion was made by Commissioner Robbins and seconded by Commissioner Thomas to approve the following rezoning request of Louise and Danny Wise to rezone from General Agriculture (GA) to Estate Residential (R-1) a tract of land totaling 17.76 acres located at Tucker School Road and Keith Valley Road, Dalton, GA. Parcel (10-073-01-000). The motion was approved 4-0, with Commissioners Staten, Thomas, Jones and Robbins in agreement

Rezoning Recommendation: Motion was made by Commissioner Staten and seconded by Commissioner Jones to approve the following rezoning request with conditions of Brass Investments, LLC to rezone from Low Density Single Family Residential (R-2) to Medium Density Single Family Residential (R-3) a tract of land totaling 1.02 acres located at 2735 Chattanooga Road, Dalton, GA. Parcel (12-117-04-000). The motion was approved with the condition of limiting the density of the subject property to three tracts. The motion was approved 4-0, with Commissioners Staten, Thomas, Jones and Robbins in agreement.

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Rezoning Recommendation: Motion was made by Commissioner Staten and seconded by Commissioner Jones to approve the following rezoning request with conditions. Request of Diana Rico to rezone from Low Density Single Family Residential (R-2) to Neighborhood Commercial (C-1) or General Commercial (C-2) a tract of land totaling 1.30 acres located at 2319 Cleveland Highway, Dalton, GA. Parcels (12-103-02-063, 12-103-02-011 and 12-103-02-093). The conditions were to limit access to Cleveland Highway, create a buffer along the north R/W along Todd Ave, and to limit commercial use for only personal and professional offices. The condition limiting access to Todd Ave was removed. The motion was approved 4-0, with Commissioners Staten, Thomas, Jones and Robbins in agreement.

Rezoning Recommendation: Motion was made by Commissioner Staten and seconded by Commissioner Jones to approve the following rezoning request of Wes Jones to rezone from General Commercial (C-2) and Low Density Single Family Residential (R-2) to Zero Lot Line Residential (R-4) a tract of land totaling 26.31 acres located at 2310 and 2318 Cleveland Highway, Dalton, GA. Parcel (12-102-11-000) (County). Commissioner Thomas recused himself from the vote. The motion was approved 3-0, with Commissioners Staten, Jones and Robbins in agreement.

Rezoning Recommendation: Motion was made by Commissioner Staten and seconded by Commissioner Thomas to approve the following rezoning request of Crow Road Holdings to rezone from General Commercial (C-2) to Rural Residential (R-5) a tract of land totaling 3.04 acres located at 3424 Chattanooga Road Dalton, GA. Parcels (12-076-05-000, 12-076-30-000, 12-076-38-000, 12-076-39-000). The motion was approved 4-0, with Commissioners Staten, Thomas, Jones and Robbins in agreement.

Resolution – ACCG Plan Amendment and Restatement 401(a): Motion was made by Commissioner Thomas and seconded by Commissioner Staten to adopt the resolution and approve the amendment and restatement of the previously established qualified plan of the effective date of February 1, 2016. The plan adopted is the ACCG 401 (a) Defined Contribution Plan for Whitfield County Employees. This amendment will be effective as of January 1, 2022. The motion was approved 4-0, with Commissioners Staten, Thomas, Robbins and Jones in agreement.

HR Dept. Employee Appraisal System: Motion was made by Commissioner Jones and seconded by Commissioner Robbins to enter into a contract and approve the annual fee of \$18,000 from HR Performance Solutions for an employee appraisal system. The HR department is requesting to contract with HR Performance Solutions for a comprehensive performance appraisal system. HR Performance Solutions utilizes industry leading software along with consultants to ensure expeditious and streamlined processes. The fee is based on organizational size and includes virtual implementation and training. The cost for Whitfield County is \$18,000 annually. This is a sole source due to the nature of the work and expertise required along with the prebuilt software content. The motion was approved 4-0, with Commissioners Jones, Staten, Thomas and Robbins in agreement.

Animal Shelter Grant Award: Motion was made by Commissioner Robbins and seconded by Commissioner Thomas to approve the grant award of \$10,000.00 from the GA Department of Agriculture for spay and neuter cost assistance to citizens of Whitfield County. The grant is issued through the Dog and Cat Sterilization Program which is funded by the purchase of Dog and Cat Sterilization Auto Tags. The motion was approved 4-0 with Commissioners Robbins, Staten, Thomas and Jones in agreement.

2022 CHIP (Community Home Investment Program) Grant Acceptance: Motion was made by Commissioner Robbins and seconded by Commissioner Jones to approve the CHIP award and approve the contract. County Admin requests the BOC accept the award and approve the contract of the 2022 Community Home Investment Program (CHIP) grant which is a federal HUD grant administered by the Georgia Department of Community Affairs (DCA). Total federal funds awarded are \$400,000 and our local

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match is \$40,174 which will be approximately \$26,320 in cash match and \$13,854 in in-kind match. Cash match will be funded with ARPA funds (revenue loss category). This grant will allow the County to rehabilitate owner-occupied single-family homes of qualified residents. The contract effective date is September 1, 2022. Assuming all special contract conditions are cleared, the County will be able to start taking applications sometime after the contract effective date. The motion was approved 4-0, with Commissioners Staten, Jones, Robbins and Thomas in agreement.

Rocky Face Ridge Park Pavilions: Motion was made by Commissioner Staten and seconded by Commissioner Thomas to approve up to \$75,000 for construction of pavilions at the park. This project is funded by SPLOST. The motion was approved 4-0 with Commissioners Jones, Thomas, Staten and Robbins in agreement.

Engineering Department – Courthouse Renovation Change Order #6: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to ratify a change order for upgrades to the elevator shaft equipment in two elevator locations to meet new code requirements and to provide three runs of conduit and fiber to connect the IT closets in the renovation to the main location in the 2005 courthouse. The amount of the change order is \$21,625. This change order fits within the original project budget. The motion was approved, 4-0, with Commissioners Robbins, Staten, Thomas and Jones in agreement.

Engineering Department – Riverbend Park Change Order #4: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to ratify a change for the Riverbend Park Gym project. Brian Chastain received approval on these items prior to work being done, and Momon Construction has placed them all on this change order form. 1. Addition of 6,684 s.f. concrete plaza at the lower fields +\$38,000.00, 2. Upgrade gym wood floor finish to water based and provision of game lines +\$7,000.00, 3. Install 1 " electrical stubouts, junction boxes and EMT conduit for additional panel at fields +\$2,811.25, 4. Provision of Fire Marshal required shunt to shut down gym audio when fire alarm is activated +\$645.00, 5. Electrical Power for gym bleachers +\$4,320.00, 6. Electrical for six gym speakers added +\$2,080.00, 7. Added electrical for 17 hand dryers +\$7,140.00, 8. Added power for site utilities and sewer grinder pump +\$3720.00, 9. Added power for grinder pump at lower buildings +\$ 1,540.00, 10. Additional stubout

for lower field buildings +\$1,040.00, 11. Contractor markup 10% +\$7,163.63, 12. Added 9' of base cabinets and countertops in the printer/copier area +\$3,340.00. The total amount of the change order is \$78,799.88. This project was included in the 2020 SPLOST. The motion was approved, 4-0, with Commissioners Robbins, Staten, Thomas and Jones in agreement.

Buildings & Grounds Department – WC Health Dept. HVAC: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to approve the low bid from Daikin for repairs of the WC HVAC for \$29,710.01 from contingency funds. Quotes were requested for emergency labor and materials to replace 2 Micro Channel Condenser Coils & recharge the system with refrigerant at the Whitfield County Health Department as per the procedures set forth in the County's Purchasing Policy. We are now asking the BOC to approve the emergency purchase. There is currently running 1 compressor out of 6 compressors needed to cool the 47,000 sq ft Whitfield County Health Dept. building. Three (3) Bids for the scope of work are shown below for Condenser Coils and to recharge system with refrigerant. 1. Chase Mechanical: \$30,492.00, 2. Cornerstone: \$57,840.00, 3. Daikin: \$29,710.01. The motion was approved 4-0, with Commissioners Staten, Jones, Robbins and Thomas in agreement.

Public Works – Gradall Repair: Motion was made by Commissioner Jones and seconded by Commissioner Thomas to postpone this item. The motion was approved 4-0, with Commissioners Thomas, Jones, Robbins and Staten in agreement.

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State Contract Extension for Personnel at DA's Office: Motion was made by Commissioner Staten and seconded by Commissioner Jones to approve the State of Georgia Prosecuting Attorney's Council of Georgia State Paid Reimbursed Personnel Contract. Whitfield County has chosen to continue their agreement with the Prosecuting Attorney's Council of Georgia for the services of the District Attorney's Office for the Conasauga Judicial Circuit. The contract is an extension of the current PAC contract. The motion was approved 4-0, with Commissioners Robbins, Staten, Thomas and Jones in agreement.

PUBLIC COMMENTS:

Daryl Long noted the Board could look into the Christian Partners Organization to see if any participants can receive assistance from the CHIP (Community Home Improvement Program) grant.

Executive Session – Personnel and Real Estate: Motion was made by Commissioner Jones and seconded by Commissioner Thomas to enter into an executive session to personnel and real estate. The motion was approved 4-0, with Commissioners Robbins, Staten, Thomas and Jones in agreement. Present for the executive session was Chairman Jevin Jensen, Commissioners Robbins, Staten, Thomas and Jones, County Attorney Robert Smalley, County Administrator Robert Sivick, Human Resources Director Jackie Carlo and County Clerk Blanca Cardona.

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

ADJOURN Unanimous



JEVIN JENSEN, CHAIRMAN
WHITFIELD COUNTY BOARD OF COMMISSIONERS



BLANCA CARDONA, COUNTY CLERK

DATE: 7/11/2022