

MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD WEDNESDAY, MARCH 16, 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 Robbins and seconded by Commissioner Staten to approve the agenda as presented. The motion was approved 4-0, with Commissioners Jones, Staten, Thomas, and Robbins in agreement.

Approval of Minutes: Motion was made by Commissioner Jones and seconded by Commissioner Robbins to approve the February 16, 2022 Regular Business Meeting Minutes as presented. The motion was approved 4-0, with Commissioners Staten, Jones, Thomas and Robbins in agreement.

Chairman Jensen recognized Ryan Hollingsworth as Employee of the Month for January 2022. Mr. Hollingsworth works at the Parks & Recreation Dept.

PROCLAMATION

April 2022 – National County Government Month: Motion was approved by Commissioner Jones and seconded by Commissioner Robbins to proclaim April 2022 as National County Month in Whitfield County. The motion was approved 4-0, with Commissioners Staten, Jones, Thomas and Robbins in agreement.

Public Hearings:

Closing and abandon Martin Road:

Chairman Jensen called the public hearing to order. Tom Minor who is representing the petitioners noted the road in question is within the petitioners' property

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

Closing of Kraft Drive:

Chairman Jensen called the public hearing to order. Nelson Kraft spoke in favor of closing the road. There were no speakers for or against this petition; Chairman Jensen closed the public hearing.

Chairman Jensen called for a Public Hearing to hear any comments or concerns the public may have regarding a Farm Winery license application for Deep Springs Vineyards, LLC located at 1606 Beaverdale Road.

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

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Chairman Jensen called for a Public Hearing to hear any comments or concerns the public may have regarding an alcohol license application for RADHE Inc. d/b/a Food Mart located at 3385 Airport Road.

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

Chairman's Report: Chairman Jensen reminded the Board and attendees of the grand opening and dedication of Riverbend Park on April 8. Games with the USA Patriots will be held at 6PM on Friday and 1PM on Saturday. Jensen briefly spoke about employee engagement and the possibility of expanding early retirement to all County Departments.

Report from Commissioners:

Commissioner Jones did not have any updates to present to the Board.

Commissioner Staten noted the 8U, 10U and 12U Girls Basketball teams won their division Championships, the 8U Boys were runner-ups. Staten also noted he attended a Hispanic concert with bands from Mexico at the Dalton Trade Center and noted the Trade Center does a great job at hosting these events.

Commissioner Robbins updated the Board on the Library building improvements and how staff at the Library are looking at ways to enhance citizen services.

County Administrator Report:

County Administrator Robert Sivick informed the Board on a scheduled public hearing for the RAISE grant that will be held at the Mack Gaston Community Center on Tues. March 29. Sivick also noted he attended the Georgia County & City Management Association Conference in Athens.

January 2022 Financial Statement: Motion was made by Commissioner Jones and seconded by Commissioner Thomas to approve the December Financial Statement as presented by Finance Director James Garvin. Local Option Sales Tax (LOST) January collections of \$1,059,588 were .25% less than budgeted collections of \$ 1,062,500. This was 18.25% less than December collections of \$1,294,424. This was 14.50% greater than PY collections of \$925,846 for the same time frame. TAVT collections: January collections of \$394,488 were 1 1 % less than December collections of \$442,901. This was 7.25% greater than PY collections of \$367,584 for the same time frame. YTD actual revenues of \$3,229,159 were less than projected revenues of \$3,337,911 by \$108,752 or 3.25%. YTD actual expenditures of \$3,874,330 were greater than projected expenditures of \$3,818,321 by \$56,009 or 1.5%. The motion was approved 4-0, with Commissioners Staten, Thomas, Jones, and Robbins in agreement.

PUBLIC COMMENT:

Daryl Long who resides at 4310 Troy Lane asked the Board to consider exempting elderly property homeowners for County Ad Valorem taxes.

Several people voiced their support for the Animal Tethering Ordinance Amendment.

PRESENTATION:

Margaret Thigpen, Director of the Convention & Visitors Bureau gave a review of the Dalton Trade Centers 2021 events and updated on events for 2022.

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Second Reading Animal Tethering Ordinance: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to approve amending Chapter 4 of the Code of Ordinances, captioned entitled "Animals" be amended by amending Section 4-1, "Definitions," by amending the existing definitions of "Adequate food and water" and "Trolley system (or running cable line,)" and by adding therein, in alphabetical order, a new definition of "Adequate Shelter" and of "Unsanitary conditions;" by deleting existing section 4-30 in its entirety and by renaming and amending a new section 4-30, to provide for shelter and tethering requirements; and for other purposes. The motion was approved 4-0, with Commissioners Staten, Jones, Thomas and Robbins in agreement.

First Reading – Chapter 5 Buildings, Construction and Related Activities: Chairman Jensen informed the Board and public of the proposed amendment to Division 1 of Article IX Chapter 5 of the Whitfield County Code of Ordinances, be amended by renumbering existing sections 5-129 and 5-130 and by creating new section 5-129, captioned "Temporary Use of a Camper, Recreational Vehicle or Travel Trailer for Living Purposes," and new section 5-130, captioned "Permitting;" and for other purposes. No action was taken on this item.

Conveyance of Property from GA State Properties Commission: Motion was made by Commissioner Jones and seconded by Commissioner Thomas to accept the quit claim deed from the GA State Properties Commission conveying a 0.69 of an acre tract located at 2517 Cleveland Hwy for public purposes. This property was previously used by the Georgia Forestry Commission Catoosa-Whitfield County Unit, but will now house the Buildings & Grounds department. The motion was approved 4-0, with Commissioners Jones, Thomas, Staten and Robbins in agreement.

Close and Abandon Martin Road: Motion was made by Commissioner Jones and seconded by Commissioner Thomas to close and abandon Martin Road, lying and being in Land Lot No. 275 in the 27th district and 3rd section of Whitfield County, Georgia, and issue a quit claim deed. The motion was approved 4-0, with Commissioners Jones, Staten, Thomas and Robbins in agreement.

Close a portion of Kraft Drive: Motion was made by Commissioner Staten and seconded by Commissioner Robbins to close a portion of Kraft Drive, lying and being in Land Lot No. 26 in the 13th district and 3rd section of Whitfield County, Georgia. The motion was approved 4-0, with Commissioners Jones, Staten, Thomas and Robbins in agreement.

Farm Winery License Application: Motion was made by Commissioner Staten and seconded by Commissioner Jones to approve a farm winery license for Deep Springs Vineyards, LLC located at 1606 Beaverdale Rd. The motion was approved 4-0, with Commissioners Staten, Robbins, Thomas and Jones in agreement.

Alcohol Beverage License Application: Motion was made by Commissioner Jones and seconded by Commissioner Staten to approve the alcohol beverage application for Food Mart located at 3385 Airport Rd. The motion was approved 4-0, with Commissioners Staten, Robbins, Thomas and Jones in agreement.

Re-Appointment to the Dalton-Whitfield Trade Center: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to re-appoint Cathy Snyder to the Trade Center Authority. The motion was approved 4-0, with Commissioners Jones, Robbins, Thomas and Staten in agreement.

Appointment to the Dalton-Whitfield Library Board of Trustees: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to appoint Anna Adamson to the Dalton-Whitfield Library Board of Trustees to a three-year term to expire June 2025. The motion was approved 4-0, with Commissioners Jones, Robbins, Staten and Thomas in agreement.

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Rezoning Recommendations: Motion was made by Commissioner Robbins and seconded by Commissioner Jones to approve the following rezoning requests recommended by the planning commission: request of Johnny Dyer to rezone from Low Density Single Family Residential (R-2) to Rural Residential (R-5) a tract of land totaling 0.18 acres located at 352 Eastfield Road, SW, Dalton, GA. Parcel (13-115-03-000), request of Patricia Smith to rezone from Suburban Agriculture (SA) to Rural Residential (R-5) a tract of land totaling 4.33 acres located at 134 Sullivan Way, Rocky Face, GA. Parcel (12-305-04-000), request of Cyndi Hefner to rezone from Neighborhood Commercial (C-1) to Rural Residential (R-5) a tract of land totaling 2.0 acres located at 1280 Beaverdale Road NE, Dalton, GA. Parcel (10-289-02-000). 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 Thomas to approve the denial of the following rezoning request as recommended by the planning commission: request of Chris Withrow and Mary Jo Withrow to rezone from Rural Residential (R-5) to General Commercial (C-2) a tract of land totaling 1.5 acres located at 509 Burgess Road, Dalton, GA. Parcel (09-218-30-000). The motion was approved 4-0, with Commissioners Staten, Thomas, Jones and Robbins in agreement.

City of Varnell Annexation – parcel 11-263-01-160: Motion was made by Commissioner Robbins and seconded by Commissioner Staten for no land use classification objection to tax parcel number 11-263-01-160. The motion was approved 4-0, with Commissioners Staten, Jones, Robbins and Thomas in agreement.

City of Varnell – Fence Removal Assistance Request: Motion was made by Commissioner Thomas and seconded by Commissioner Staten to assist the City of Varnell will removing fences, demolition of two buildings and grading the ballfield next to Varnell Elementary School. The Board directed Public Works and the Recreation departments to work with Varnell City on this request. The motion was approved 4-0, with Commissioners Staten, Jones, Robbins and Thomas in agreement.

Rocky Face Ridge Park Advisory Committee Appointment: Motion was made by Commissioner Robbins and seconded by Commissioner Thomas to approve forming the Rocky Face Ridge Park Advisory Committee. They will discuss options for keeping all stakeholders informed when the park opens. The motion was approved 4-0, with Commissioners Jones, Robbins, Thomas and Staten in agreement.

Resolution – Pension Adoption Agreement Amendment #3: Motion was made by Commissioner Jones and seconded by Commissioner Robbins to adopt agreement amendment #3 to the Association County Commissioners of Georgia Defined Benefit Plan. This amendment will be effective as of January 1, 2023. The agreement will provide for an unreduced early retirement benefit upon the attainment of age fifty-five (55) with twenty-five (25) years of Vesting Service (the “55/25 UER”), require that an Eligible Employee have attained both the age and Vesting Service requirements as of the date of his or her Termination of Employment (and may not “age into” eligibility) to qualify for the 55/25 UER and recognizes that Participants will still be permitted to age into eligibility for the 60/25 Unreduced Early Retirement Pension provided in the Adoption Agreement and for the 60/10 Reduced Early Retirement Pension. The motion was approved 4-0, with Commissioners Staten, Thomas, Robbins and Jones in agreement.

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IGA Dalton-Whitfield Library with Dalton City: Motion was made by Commissioner Thomas and seconded by Commissioner Staten to approve removing the Dalton-Whitfield Library from the Special Tax District for Jointly-Funded Services to provide more funding flexibility. Citizens have requested additional funding for their local Library. Inflation and low starting pay have reduced number of hours open and programs offered. Dalton City offered to move Library out of special tax district to allow additional total funding of \$510,000 for 2022 for the County (includes ARP). Bringing total funding over \$760,000 a year locally. The motion was approved 4-0, with Commissioners Thomas, Staten, Jones and Robbins in agreement.

ARPA- Library Funding Reimbursement: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to approve a \$42,000 ARPA reimbursement to Library as part of 2022 new funding. The library has suffered lost revenue due to uncollected fines and closure due to COVID19. The motion was approved 4-0, with Commissioners Jones, Staten, Thomas and Robbins in agreement.

ARPA-Local Non-Profit Application Review Committee & Funding Reserve: Motion was made by Commissioner Staten and seconded by Commissioner Robbins to form a ARPA local non-profit application committee. The County is designating 5% of the ARPA funds for local non-profit organizations. The committee will review local non-profit grant applications before sending them to the Board for approval. The motion was approved 4-0, with Commissioners Jones, Staten, Thomas and Robbins in agreement.

ARPA Funding for Eligible Projects: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to approve \$2,000 of ARPA funding for a trade center receptionist during September 2021 – February 2022. Whitfield County received funds through the American Rescue Plan which are restricted to certain eligible uses incurred during the period of March 2021 through December 2024. In September 2021, the County committed to partnering with the City of Dalton to share in the cost of a part-time receptionist position at the Trade Center. This position is responsible for customer service related activities for citizens who come to the Trade Center for COVID vaccinations and regeneron treatments. This is an eligible ARPA expense and therefore County administrative staff is seeking BOC approval to use ARPA funds. The motion was approved 4-0, with Commissioners Staten, Jones, Thomas and Robbins in agreement.

Letter of Support – Praters Mill Foundation Grant: Motion was made by Commissioner Thomas and seconded by Commissioner Staten to issue a Letter of Support for Praters Mill. County staff are assisting the Prater's Mill Foundation with a grant application. The Foundation is applying for a T-Mobile Hometown grant, of up to \$50,000, to help restore the foundation of the mill. The Prater's Mill property is owned by the County but is leased and operated by the Foundation. County staff and the Foundation are seeking a letter of support from the County for the grant application. The motion was approved 4-0, with Commissioners Thomas, Jones, Staten and Robbins in agreement.

Resolution to Authorize Application – Federal (RAISE): Motion was made by Commissioner Staten and seconded by Commissioner Robbins to approve the Resolution to apply for the 2022 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant. This federal grant program is for capital investments in surface transportation that will have significant local or regional impact. The minimum award size is \$1 million and the maximum award is \$25 million. Normally federal grants like this require a 20% match; however, this grant allows federal funding of 100% if a project is located in a rural area. For the purposes of this grant, Whitfield County is designated a rural area. The County can submit up to 3 separate projects for funding and County staff are currently reviewing project options. The deadline for submitting the application is April 14, 2022. The resolution authorizes the filing of the

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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, Staten, Robbins and Thomas in agreement.

Information Technology: Motion was made by Commissioner Staten and seconded by Commissioner Robbins to renew the Anti-virus SentinelOne with End Point Protection from WrightCore for the yearly amount of \$26,232 utilizing state contract pricing. SentinelOne is an End Point Protection Solution that will protect against new viruses, malware, and other forms of malicious cyber-attacks. This proposed solution stops zero-day-attacks, which is a vulnerability that is unknown to the vendor and exploited by hackers. SentinelOne is the only End Point Protection that offers a ransomware guarantee up to \$1000 per end point or \$1million per company. We have used this product for several years and have not had any data loss due to viruses, malware, or other forms of cyber-attacks. This solution covers all County computer devices and protect them on and off the County's network. The motion was approved 4-0, with Commissioners Robbins, Staten, Thomas and Jones in agreement.

Buildings & Grounds Department – Electrical Work for PW Truck Shed: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to approve the low bid from Swanson Electrical for \$12,350 for electrical work on the Truck Sheds. They were damaged in the April 2020 storm and were repaired in June 2021, only the electrical work is needed to complete the repairs. The motion was approved 4-0, with Commissioners Staten, Jones, Robbins and Thomas in agreement.

Public Works – Engine & Clutch Repair Mack Tandem Truck: Motion was made by Commissioner Jones and seconded by Commissioner Thomas to approve the low bid from Chattanooga Dozer Parts for \$31,313. The repair will extend the life of a 2004 Tandem Dump Truck. The motion was approved 4-0, with Commissioners Staten, Jones, Robbins and Thomas in agreement.

Fire Department Furniture Bid: Motion was made by Commissioner Thomas and seconded by Commissioner Jones to approve the lowest bid from Fire Station Furniture at \$600 per unit. The department intends to purchase up to 60 units but will only purchase 32 at this time. The motion was approved 4-0, with Commissioners Thomas, Jones, Robbins and Staten in agreement.

Fire Personal Uniform Bid: Motion was made by Commissioner Jones and seconded by Commissioner Robbins to approve the low bidder MES for station uniforms for the following; Pants \$112.20 per unit, Shirts \$98.28 per unit. The motion was approved 4-0, with Commissioners Jones, Thomas, Robbins and Staten in agreement.

Parks & Recreation – Vehicle Purchase and Surplus: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to approve the purchase of two vehicles from Ford of Dalton utilizing the state contract pricing; a. 2022 Ford F-150 single cab state price \$32,275, b. 2022 Ford Explorer state price \$34,125. These vehicles were approved in the 2020 SPLOST, and this motion also declares a 2002 S10 Pickup as surplus. The motion was approved 4-0, with Commissioners Staten, Robbins, Jones and Thomas in agreement.

PUBLIC COMMENT:

Amber Hefner asked the Board to repair the rumble strips that have been damaged at the intersection of Beaverdale Rd and Good Hope Rd.

Kathryn Sellers thanked the Board for the increase in funding for the Library.

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Marvin Lewis thanked the Board for approving the animal tethering ordinance amendment.

Daryl Long asked the Board to strongly consider ad valorem tax exemptions for elderly persons in Whitfield County.

ADJOURN Unanimous

JEVIN JENSEN, CHAIRMAN
WHITFIELD COUNTY BOARD OF COMMISSIONERS

BLANCA CARDONA, COUNTY CLERK

DATE: / /