

MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, MAY 9, 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 (ABSENT)

Others Present:

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

Motion was made by Commissioner Staten and seconded by Commissioner Robbins to amend the agenda by removing item # 14a. Engineering - HVAC Filtration Upgrades. The motion was approved 3-0, with Commissioners Staten, Thomas, 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 Robbins to approve the April 11, 2022 Regular Business Meeting Minutes as presented. The motion was approved 3-0, with Commissioners Staten, Thomas and Robbins in agreement.

Chairman Jensen recognized Keith Hall as Employee of the Month for March 2022. Mr. Hall works at the Buildings & Grounds Department.

Chairman's Report: Chairman Jensen noted the grand opening of the Animal Shelter would be held on June 10 at 5:30 PM at 156 Gillespie Drive. The new facility was funded by the 2020 SPLOST. Jensen also reminded the audience that early voting for the general primary is underway at the Elections Office, and if any citizens need a ride to the courthouse Transit is providing free rides.

Report from Commissioners:

Commissioner Thomas noted the classes at the ACCG Annual Conference were very informative. Commissioner Staten and Robbins did not have any reports.

County Administrator Report:

County Administrator Robert Sivick updated the Board about the THRIVE Regional Partnership organizations plan to expand Broadband in rural communities including Whitfield County.

March 2022 Financial Statement: Motion was made by Commissioner Staten and seconded by Commissioner Robbins to approve the March Financial Statement as presented by Finance Director James Garvin. Local Option Sales Tax (LOST) collections: March collections of \$1,232,231 were 16% greater than budgeted collections of \$1,062,500. This was 17.25% greater than February collections of \$1,051,088. YTD collections of \$3,342,907 were 9.75% greater than PY collections of \$3,046,948 for the same time frame. TAVT collections: March collections of \$464,329 were 14.25% greater than February collections of \$406,768. YTD collections of \$1,265,585 were 10.25% less than PY collections of \$1,409,911 for the same time frame. YTD actual revenues of \$8,538,524 were greater than projected revenues of \$8,461,964 by \$76,560 or 1%. YTD actual expenditures of \$11,682,564 were greater than projected expenditures of \$11,238,848 by \$443,717 or 4%. The motion was approved 3-0, with Commissioners Staten, Thomas and Robbins in agreement.

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PUBLIC COMMENTS:

Several residents from the Babb Subdivision off of Dug Gap Road addressed the Board regarding a code enforcement issue on one of the homes within their subdivision. The Babb Subdivision does have their own covenants and a HOA (Home Owners Association).

Ordinance Amendment – Chapter 7.5, Noise; Section 7.5-41(b): Motion was made by Commissioner Robbins and seconded by Commissioner Staten to approve the amendment to Article III of Chapter 7.5 of the Whitfield County Code of Ordinances, entitled “Noise,” be amended by amending section 7.5-41(b) to add a new subsection (11) therein to provide that the use of engine braking systems for diesel engines on tractor trailers and similar vehicles within Whitfield County shall constitute a violation of this section; and for other purposes. The motion was approved 3-0, with Commissioners Staten, Thomas and Robbins in agreement.

Whitfield County Unified Zoning Ordinance Text Amendment: Motion was made by Commissioner Staten and seconded by Commissioner Thomas to amend the Unified Zoning Ordinance text in regards to dwelling unit size within the City of Dalton, and to add multi-family residential as a permitted use within the Mixed-Use zone district. 1. Amend the Unified Zoning Ordinance CHART 3-7 regarding area, floor, setback, yard, and height requirements. The suggested amendment would be to change the minimum floor area in R- 7 zone district for Multi Family Condominiums to read that “70% of the total dwelling units must be 900 SF or larger in the City of Dalton.” Currently all multi-family/condominium units within the City of Dalton must have at least 900SF of floor area. The suggested amendment would create some opportunity for one-bedroom apartment units within the footprint of a larger multi-family development. 2. Amend the Unified Zoning Ordinance permitted use table by allowing Multi-Family Dwellings in the Mixed Use (MU) zone district. Currently this use is not permitted in the MU zone district. Since the district is intended to mix residential and retail uses on the same property, this amendment would create more opportunity for this zone district. The motion was approved 3-0, with Commissioners Staten, Thomas and Robbins in agreement.

Appointment for the Dalton Whitfield Community Development Corporation: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to appoint Dr. Nicky Starling to serve on this Board. The motion was approved 3-0, with Commissioners Staten, Thomas and Robbins in agreement.

Rezoning Recommendations: Motion was made by Commissioner Staten and seconded by Commissioner Robbins to approve the following rezoning requests recommended by the planning commission: **request of Rolanda Luna to rezone from Heavy Manufacturing (M-2) to Rural Residential (R-5) a tract of land totaling 0.39 acres located at 332 Ponders Drive, SE, Dalton, GA. Parcel (13-011-06-021), request of Perry Smith to rezone from Low Density Single Family Residential (R-2) to Rural Residential (R-5) a tract of land totaling 1.26 acres located at 138 Bloomfield Way, Dalton, GA. Parcel (12-205-26-000), request of David and Lucretia Wilkins to rezone from General Commercial (C- 2) to Rural Residential (R-5) a tract of land totaling 0.88 acres located on Sosebee Drive, Dalton, GA. Parcels (12-051-38-000 and 12-051-57-000) and to approve the denial of Jeffrey Lea and Brandon Harrison to rezone from Low Density Single Family Residential (R-2) to Medium Density Single Family Residential (R-3) a tract of land totaling 2.24 acres located on Mill Creek Road, Dalton, GA. Parcel (12-189-02-000), and to send back to the Planning Commission the 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 3-0, with Commissioners Staten, Thomas and Robbins in agreement.

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City of Varnell Annexation Requests: Motion was made by Commissioner Thomas and seconded by Commissioner Robbins for no land use classification objection to tax parcel number 11-263-01-167 and 11-264-08-015. The motion was approved 3-0, with Commissioners Staten, Robbins and Thomas in agreement.

Engineering Department – Design Contract for Houston Valley/Mt. Vernon Intersection: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to approve design services by Atlas under our On-Call Services agreement with them for \$56,350.00. The project is located at the intersection of Mt. Vernon Rd. and Houston Valley Rd. in the Westside community. The intersection will be improved by adding turn lanes on all four legs and a traffic signal. The work will include: Field surveys, CAD data conversion, roadway design, construction plans, signal plans, signing/markings plans, R/W plans, utility coordination, and final bid documents. The motion was approved 3-0, with Commissioners Robbins, Thomas and Staten in agreement.

Parks & Recreation – Ratify Riverbend Site Work Change Order & Signage: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to ratify the change order for an addition of small parking lot behind the fields pod on property purchased last year. Use for staff and emergency vehicle parking lot to free up main parking. Add additional 100 spots beside softball fields not to exceed \$60K. Add new permanent sign off by-pass not to exceed \$4K. The motion was approved 3-0, with Commissioners Staten, Robbins and Thomas in agreement.

Intergovernmental Agreement - School Resource Officers: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to approve the intergovernmental agreement between the Whitfield County Board of Education, Whitfield County and the Sheriff of Whitfield County to designate as many as eight (8) Sheriff's Deputies as SROs for school placement and assignment by the School Board and Sheriff collaboratively, the School Board shall reimburse directly to the County, on a monthly basis, the actual wages paid, including any overtime, for all such SROs for all time worked at a school location, a school function, or as otherwise requested by the School Board. The School Board shall not be responsible for reimbursing the County for any PTO taken by the SRO or for all time during which school is not in session, such as holidays and breaks, nor shall the School Board reimburse the County for other expenditures, such as uniforms or mileage. Additionally, the School Board shall reimburse to the County a supplemental amount representing thirty-five (35%) percent of all such wages paid, which shall offset a portion of each such SRO's County benefits. To the extent that the Sheriff remains willing to designate one Sheriff's Detective as School Detective and School Safety Specialist for school placement and assignment by the School Board and Sheriff collaboratively, the School Board shall reimburse directly to the County, on a monthly basis, the actual wages paid, including any overtime, for School Detective for all time worked at a school location, a school function, or as otherwise requested by the School Board. The School Board shall not be responsible for reimbursing the County for any PTO taken by the School Detective / School Safety Specialist, nor shall the School Board reimburse the County for other expenditures, such as uniforms or mileage. The School Board agrees to pay the School Detective and School Safety Specialist on an annual (12-month) basis. The School Board will not reimburse the County any supplemental amount to offset such Detective's County benefits, as agreed to by the Sheriff. IN ADDITION, the parties hereto agree as follows: To the extent that the Sheriff remains willing to designate as many as three (3) Sheriff's Deputies as a Drug Abuse Resistance Education (DARE) Officer for school placement and assignment by the School Board and Sheriff collaboratively. The School Board shall not be responsible for reimbursing the County for actual wages paid, any PTO taken by the DARE / SRO or for all time during which school is not in session, such as holidays and breaks, nor shall the School Board reimburse the County for other expenditures, such as uniforms or mileage. The motion was approved 3-0, with Commissioners Staten, Thomas and Robbins in agreement.

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PUBLIC COMMENTS:

None.

ADJOURN Unanimous



JEVIN JENSEN, CHAIRMAN
WHITFIELD COUNTY BOARD OF COMMISSIONERS



BLANCA CARDONA, COUNTY CLERK

DATE: 6/13/2022