

MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, SEPTEMBER 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 amend the agenda by removing Item No. 20 – Bid Award for General Contractor for CDBG-CV Food Bank Renovations, and to add Approval of Contract with Bartow Paving for Improvements to McGaughey Chapel & Prater’s Mill Intersection. 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.

District Attorney Budget Amendment: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to approve the DA’s request for partial year funding for an additional investigator. The motion was approved 4-0, with Commissioners Robbins, Staten, Jones and Thomas in agreement.

Approval of Minutes: Motion was made by Commissioner Robbins and seconded by Commissioner Jones to approve the August 8, 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 John Sansom as Employee of the Month for July 2022. Mr. Sansom works in the E-911 department.

Presentations:

1. Chris Patterson informed the Board and audience about the 2022 Vet Classic Jeep and Truck show that will be held on September 24, 2022 at Praters Mill. Patterson noted this is an automotive fundraising event to benefit Camp Southern Group, an organization committed to supporting veteran mental health and well-being.

2. Melissa Blevins President and Chief Executive Office of the Chattanooga Area Food Bank spoke to the Board about their mission to eliminate hunger and promote better nutrition in our region.

PUBLIC HEARING

Chairman Jensen called for a Public Hearing to hear any comments or concerns the public may have regarding alcohol license applications for Quickway located at 2958 Cleveland Hwy, and West Side Mart located at 613 Lafayette Rd.

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

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Chairman's Report: Chairman Jensen informed the audience about the recent vote of the Board of Assessors to return real properties to their assessed values from 2021.

Report from Commissioners:

Commissioner Jones noted that since the Board of Assessors will be very busy working on the new tax assessments, they should stay at their current location at 303 W. Waugh Street.

Commissioner Robbins noted that the Library has reopened to normal operations and will begin to open back up on Saturdays.

Commissioners Thomas and Staten did not have any reports.

County Administrator Report:

County Administrator Robert Sivick informed the Board that a cost assessment for the realignment of the intersection at Beveardale and Dawnville Rd has been completed; Sivick also noted the Service Delivery Strategies (SDS) agreements are going well; Sivick updated the Board on the transition of the Senior from City of Dalton to Whitfield County with the job advertisement being posted for a Senior Center Manager; and Sivick further noted to the Board of the recent Cohutta Tour the Town event.

July 2022 Financial Statement: Motion was made by Commissioner Staten and seconded by Commissioner Robbins to approve the July Financial Statement as presented by Finance Director James Garvin. Local Option Sales Tax (LOST) collections: July collections of \$1,213,548 were 14.25% greater than budgeted collections of \$1,062,500. This was 4.5% less than June collections of \$1,270,292. YTD collections of \$8,312,230 were 13% greater than PY collections of \$7,353,975 for the same time frame. TAVT collections: July collections of \$372,534 were 15% less than June collections of \$438,345. YTD collections of \$3,049,075 were 3% less than PY collections of \$3,146,141 for the same time frame. YTD actual revenues of \$21,969,899 were greater than projected revenues of \$20,765,549 by \$1,204,350 or 5.75%. YTD actual expenditures of \$29,227,062 were greater than projected expenditures of \$28,609,351 by \$617,712 or 2.25%. The motion was approved 4-0, with Commissioners Staten, Robbins, Thomas and Jones in agreement.

PUBLIC COMMENTS:

Ann Blevins who resides on Wheeler Dam Road voiced her concern about traffic and pollution should the rezoning request be approved for this road.

Mary Smith voiced her concern about traffic once the houses at the North end of the County are built.

Daniel Alt addressed the Board to stand by their decisions.

Vicky Edge addressed the Board about the large housing developments going up at the North end of the County.

Carol Matthews voiced her concerns to the Board about all the recent large housing developments at the North end of the County.

Daryl Long voiced his concerns about the long term cost of the recent housing developments in the County.

Sandra Lowe voiced her concerns in regards to the schools becoming overcrowded once the housing developments are completed.

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Public Works – McGaughey-Chapel Road at Old Prater Mill Road intersection: Motion was made by Commissioner Staten and seconded by Commissioner Robbins to enter into a contract for \$298,095.44 with Bartow Paving for intersection improvements at McGaughey Chapel Rd. & Old Prater Mill Rd. using 2020 SPLOST funds. This motion also authorizes the Chairman to sign the contract. The motion was approved 4-0, with Commissioners Thomas, Robbins, Jones and Staten in agreement.

Petition to Close and abandon Battle Ridge Drive: Motion was made by Commissioner Jones and seconded by Commissioner Thomas to accept the petition from Sunflower Ridge, LLC and to hold a public hearing to close Battle Ridge Drive located in Land Lot 68 of the 12th district and 3rd section of Whitfield County, Georgia. The public hearing for this petition will be held at the next regular Board of Commissioners meeting on October 10, 2022, at which time a decision can be made on whether or not to close and abandon Battle Ridge Dr. The motion was approved 4-0, with Commissioners Staten, Thomas, Robbins and Jones in agreement

City of Dalton Annexation Request – parcels 12-196-01-000 & 12-196-21-000: Motion was made by Commissioner Jones and seconded by Commissioner Staten for no land use classification objection to tax parcel Nos. 12-196-01-000 and 12-196-21-000. The motion was approved 4-0, with Commissioners Staten, Robbins, Jones and Thomas in agreement.

City of Varnell Annexation Request – parcel 11-152-14-000: Motion was made by Commissioner Thomas and seconded by Commissioner Staten for no land use classification objection to tax parcel No. 11-152-14-000. The motion was approved 4-0, with Commissioners Staten, Robbins, Jones and Thomas in agreement.

City of Varnell Annexation Request – parcel 11-263-01-166: Motion was made by Commissioner Staten and seconded by Commissioner Robbins for no land use classification objection to tax parcel No. 11-263-01-166. The motion 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 Robbins to accept the recommendation of the Planning Commission to deny the following rezoning request of Wheeler Dam Properties, LLC, from General Agriculture (GA) to Zero Lot Line Residential (R-4) a tract of land totaling 34.30 acres located on Wheeler Dam Drive, Cohutta, Georgia. Parcel (11-135-05-000). The motion was approved 3-0, with Commissioners Staten, Robbins and Jones in agreement. Commissioner Thomas recused himself from voting.

Rezoning Recommendation: Motion was made by Commissioner Robbins and seconded by Commissioner Jones to approve the rezoning request of Dave Canter to modify the conditions to the Planned Unit Development (PUD) tract of land totaling 401.19 acres located at 4616 Cleveland Highway, Dalton, Georgia. Parcels (11-121-12-000, 11-133-01-000, 11-132-01-000 and 11-121-10-000) as recommended by the planning commission (3-1) to change commercial space limit to 50,000 sq foot maximum per tenant and remove sign restriction. The motion was approved 4-0, with Commissioners Staten, Robbins, Thomas and Jones in agreement.

Rezoning Recommendation: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to approve the following rezoning request of Sarah Holcomb to rezone from Suburban Agriculture (SA) to Rural Residential (R-5) a tract of land totaling 3.62 acres located at West Valley Drive and Valley Drive (a/k/a Carl Wood Road), Rocky Face, Georgia. Parcel (27-165-14-000). The motion was approved 4-0, with Commissioners Robbins, Staten, Thomas and Jones in agreement.

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Rezoning Recommendation: Motion was made by Commissioner Robbins and seconded by Commissioner Jones to approve the following rezoning request of Bryan Spence to rezone from Heavy Manufacturing (M-2) to Rural Residential (R-5) a tract of land totaling 1.65 acres located at 623 Hill Road, Dalton, Georgia. Parcel (12- 281-06-000). The motion was approved with the following conditions; that the subject property create a 10' vegetative buffer where it is adjacent to the M-2 zone district. Additional condition of limit to four driveways to county roads from this property. The motion was approved 4-0, with Commissioners Robbins, Staten, Thomas and Jones in agreement.

Rezoning Recommendation: Motion was made by Commissioner Staten and seconded by Commissioner Jones to approve the following rezoning request of Billy Spence to rezone from Low Density Single Family Residential (R-2) to Medium Density single-family residential (R-3) a tract of land totaling 0.87 acres located at Dycus Road, Dalton, Georgia. Parcel (12-205-01-008). The motion was approved 4-0, with Commissioners Robbins, Staten, Thomas and Jones in agreement.

Rezoning Recommendation: Motion was made by Commissioner Jones and seconded by Commissioner Robbins to approve 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). The motion was approved with the following conditions; House size should be 1500 minimum heated space with two car attached garage. 50-foot natural vegetative buffer between school and this property, replant trees and landscaping along Rauschenberg Road. The motion was approved 3-1, with Commissioners Staten, Robbins and Jones in agreement. Commissioner Thomas dissented.

Alcohol Beverage License Application – Quickway: Motion was made by Commissioner Thomas and seconded by Commissioner Staten to approve the malt beverage/wine package wine licenses for Quickway located at 2958 Cleveland Hwy. The motion was approved 4-0, with Commissioners Staten, Robbins, Thomas and Jones in agreement.

Alcohol Beverage License Application – West Side Mart: Motion was made by Commissioner Thomas and seconded by Commissioner Staten to approve the malt beverage/wine package wine licenses for West Side Mart located at 613 Lafayette Rd. The motion was approved 4-0, with Commissioners Staten, Robbins, Thomas and Jones in agreement.

CHIP Contract Amendment for Grant Administration: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to approve the amendment to the agreement with Gilbert and Associates for grant administration services in support of Whitfield County's CHIP (Community Home Investment Program) grant. Administration is requesting that the contract be modified such that \$2,500 of the \$4,000 Project Delivery Fee (PDF) be paid to Gilbert & Associates. The motion was approved 4-0, with Commissioners Staten, Jones, Robbins and Thomas in agreement.

Agreement with DWCDC for CHIP Services: Motion was made by Commissioner Thomas and seconded by Commissioner Staten to approve the agreement with DWCDC for CHIP services. Administration requests that the Board approve the Dalton-Whitfield Community Development Corporation to handle the homeowner application and qualifying process and approve the DWCDC to be paid \$1,500 of the Project Delivery Fee (PDF). The motion was approved 4-0, with Commissioners Staten, Jones, Robbins and Thomas in agreement.

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Sheriff's Office – Detention Center COVID19 Mitigation Grant: Motion was made by Commissioner Jones and seconded by Commissioner Robbins to approve the COVID-19 Mitigation in Georgia Confinement Facilities Grant. This is a grant program administered by Georgia Southern in conjunction with the Georgia Department of Health and the Centers for Disease Control using federal American Rescue Plan funds. Per grant guidelines, we are allowed reimbursement up to \$50,000 for eligible expenses based on the size of the Whitfield County Detention Facility. No match is required. The motion was approved 4-0, with Commissioners Thomas, Staten, Robbins and Jones in agreement.

Public Works – Bridge Rehab Project Change Order No. 1: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to approve change order No. 1 to the Houston Valley Rd. Bridge project to E&D Construction for \$72,755.00. This bridge rehabilitation project was let in 2022, the most recent bridge assessment, from which construction quantities were calculated, was done in late 2019 or early 2020. Since that time, the concrete deck of the Houston Valley Rd Bridge has deteriorated significantly. The damaged area in need of concrete patching has increased from 7 sq. ft. in the assessment to 180 sq. ft. now. The area has been verified by the bridge inspector from Heath & Lineback, the engineering company we used on the project. The cost for the additional area is \$72,755.00. The repairs to this bridge are not a long-term solution. GDOT has this bridge on their list to be replaced within 5-7 years. The motion was approved 4-0, with Commissioners Robbins, Jones, Staten and Thomas in agreement.

PUBLIC COMMENTS:

Vicky Alt questioned who has the power to rezone properties. .

ADJOURN Unanimous



JEVIN JENSEN, CHAIRMAN
WHITFIELD COUNTY BOARD OF COMMISSIONERS



BLANCA CARDONA, COUNTY CLERK

DATE: 10/6/2022