

**MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, FEBRUARY 13, 2023, 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 Jones to approve the agenda as presented. The motion was approved 4-0, with Commissioners Staten, Jones, Thomas and Robbins in agreement.**

**Approval of Minutes:** Motion was made by Commissioner Jones and seconded by Commissioner Robbins to approve the January 9, 2023 Regular Business Meeting Minutes as presented. The motion was approved 4-0, with Commissioners Staten, Jones, Thomas, and Robbins in agreement.

**Chairman Jensen recognized Keli Espitia as Employee of the Month for December 2022. Ms. Espitia works in the District Attorneys Office as a Victim Advocate.**

**Chairman's Report:** Chairman Jensen went over the proposed legislation for property assessment reform. Jensen noted the legislation will help to avoid future large, unexpected annual spikes in property assessment, which results in higher property taxes for homeowners. Local legislation allowing citizens to approve or deny the ballot initiative in November 2023. Effective January 1, 2024. 6% maximum increase on future assessments for all homestead property owners. Any consecutive 3-year total increase of not more than 14%. Initial base set by lowest assessed value in the last 3 years Future homeowners base is set at the purchase price. County will vote tonight. Each city and school board must independently decide to add a similar ballot initiative to cap their homeowners. Varnell has already approved. Cohutta, Tunnel Hill is not applicable due to no property tax. Jensen also noted the CHIP (Community Home Improvement Program) received 111 applications with 20 qualifying for the program and out of those, 5 homeowners where chosen at random to receive home repair loans. The loans are forgivable after 5 years if the resident still resides in the home.

**Report from Commissioners:**

Commissioners Jones, Staten, Robbins and Thomas did not have any updates to report for this month.

**County Administrator Report:**

County Administrator Robert Sivick informed the Board of the upcoming Pet Care Day on Feb. 25 at Edwards Park where residents will be able to microchip and vaccinate their pets for a small fee. Sivick also noted that the Joint Comprehensive Plan is starting to get updated and if any citizens want to serve on the committee to get in contact with Sivick, the plan is updated every 5 years.

**December 2022 Financial Statement:** Motion was made by Commissioner Staten and seconded by Commissioner Robbins to approve the December Financial Statement as presented by Finance Director James Garvin. Local Option Sales Tax (LOST) collections: December collections of \$1,293,237 were 15% greater than budgeted collections of \$1,125,081. This was 2.5% greater than November collections of \$1,263,047. YTD collections of \$14,504,025 were 12.25% greater than PY

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collections of \$12,933,171 for the same time frame. TAVT collections: December collections of \$351,141 were 7.75% less than November collections of \$380,468. YTD collections of \$5,031,082 were 4.25% less than PY collections of \$5,257,850 for the same time frame. YTD actual revenues of \$55,882,465 were greater than projected revenues of \$51,484,644 by \$4,397,821 or 8.5%. YTD actual expenditures of \$51,980,296 were greater than projected expenditures of \$51,075,385 by \$904,911 or 1.75%. The motion was approved 4-0, with Commissioners Thomas, Jones, Staten and Robbins in agreement.

**Public Comment:**

John Alt inquired about the citizen position for the NW GA Regional Commission, Chairman Jensen noted this Commission is made up of 15 Counties in the Northwest Region of Georgia and Whitfield has to have two government officials and one citizen member on the Commission.

Daryl Long noted that Dave Hasteley would be a good person to represent Whitfield County on the NW GA Regional Commission.

**Appointment – NW GA Regional Commission:** Motion was made by Commissioner Robbins and seconded by Commissioner Jones to appoint Dave Hasteley to the NW GA Regional Commission as the Citizen member. Mitch Sanford stepped down as the Citizen member in December. The motion was approved 4-0, with Commissioners Thomas, Staten, Robbins and Jones in agreement.

**Local Legislation – Limit Property Tax Assessment Increases:** Motion was approved by Commissioner Thomas and seconded by Commissioner Jones to ask the Whitfield County local delegation to introduce this local legislation during this years General Assembly. The legislation will be to avoid future large, unexpected annual spikes in property assessment, which results in higher property taxes for homeowners, it will cap a 6% maximum increase on future assessments for all homestead property owners. Any consecutive 3-year total increase of not more than 14%. Initial base set by lowest assessed value in the last 3 years Future homeowners base is set at the purchase price. The voters of unincorporated Whitfield County will have the opportunity to approve or deny the referendum in Nov. 2023, if the legislation passes and is signed by the Governor. The motion was approved 4-0, with Commissioners Jones, Thomas, Robbins and Staten in agreement.

**Resolution to Authorize Application – Federal (RAISE):** Motion was made by Commissioner Staten and seconded by Commissioner Jones to approve the Resolution to apply for the 2023 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant. This federal grant program is for investments in surface transportation that will have significant local or regional impact. We will be requesting funding for a planning grant for the Dawnville Road Bridge. For purposes of this grant, Whitfield County is designated a rural area and thus we are eligible for 100% federal funding with no local match required. The attached resolution authorizes the filing of the 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.

**Greater Dalton MPO Grant Funding Application:** Motion was made by Commissioner Thomas and seconded by Commissioner Robbins to approve the MPO applying for \$250,000 in Federal Highway Administration (FHWA) Planning Grant Funds. The Greater Dalton Metropolitan Planning Organization (GDMPO), requests permission to submit a grant application the Georgia Department of Transportation (GDOT) and the Federal Highway Administration (FHWA). The MPO is federally mandated to establish and maintain a Metropolitan Transportation Plan (MTP) with a 25-year planning horizon. The MPO requests permission to seek \$250,000.00 in FHWA grant funds. The match is 20% of total amount spent (MAX: \$50,000.00 – 10% Murray County Obligation). The motion was approved 4-0, with Commissioners Thomas, Staten, Robbins and Jones in agreement.

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**UGA Contract Modification- Whitfield County Extension Office:** Motion was made by Commissioner Jones and seconded by Commissioner Staten to approve the corrected contract for the County Extension Office. This is to correct an error in the budget amendment from last month and also to re-approve the position that was made vacant when Roger Gates resigned in January 2023. The motion was approved 4-0, with Commissioners Jones, Robbins, Thomas and Staten in agreement.

**ARPA Funding for Various Expenditures:** Motion was made by Commissioner Jones and seconded by Commissioner Thomas to approve \$1,026,944 in various 2022 expenditures be funded with ARPA dollars. Of this \$1 million, \$1,019,444 is for unrestricted general government expenditures (engineering services related to Prater's Mill, elections storage equipment, 50% of salary/benefits/office expense for 1 grant/accounting employee, special compensation for Tax Assessor employees, year end inflation bonus for full-time employees, misc other costs) and \$7,500 is for restricted eligible use expenditures (engineering services related to air filtration projects). The motion was approved 4-0, with Commissioners Staten, Jones, Thomas and Robbins in agreement.

**ARPA – Funding for Motorola Service Agreement:** Motion was made by Commissioner Thomas and seconded by Commissioner Jones to approve a one year agreement with Motorola for \$271,820.80. At the November 2022 meeting, the BOC approved a 3-year service agreement contract with Motorola. It has since been determined that a 1-year agreement is in the best interest of the County as it allows the County time to pursue other options. County Admin requests the 1-year agreement be approved and funded with the unrestricted ARPA funds that can be used for general government services. The motion was approved 4-0, with Commissioners Jones, Staten, Thomas and Robbins in agreement.

**ARPA – Local Non-Profit Sub-recipient Agreements:** Motion was made by Commissioner Staten and seconded by Commissioner Robbins to approve the sub-recipient agreements with the following nonprofit organizations: Boy Scouts, Latin American Association, NW GA Family Crisis Center, Chattanooga Area Food Bank (2), City of Refuge (2). At the December 2022 meeting, the BOC approved non-profit grant awards totaling \$1,016,138. Five (5) awards were for lost revenue and expenditure reimbursement, while seven (7) were for program funding. The awardees of the program funding will become sub-recipients of federal funding. Therefore, a sub-recipient agreement is required to ensure the awardees are aware of and follow all federal guidelines and operate within the confines of the approved program activities and budget. The motion was approved 4-0, with Commissioners Jones, Staten, Thomas and Robbins in agreement.

**Resolution – National Opioid Litigation :** Motion was made by Commissioner Jones and seconded by Commissioner Staten to approve the resolution of Whitfield County, Georgia ("County") agreeing to participate in national settlements with Teva, Allergan, Walgreens, Walmart and CVS concerning the National Prescription Opioid Litigation. The motion was approved 4-0, with Commissioners Staten, Robbins, Thomas and Jones in agreement.

**Quitclaim Deed to Ricky Brown a portion of Brooker Drive :** Motion was made by Commissioner Jones and seconded by Commissioner Robbins to approve the quitclaim deed conveying a .37 acre tract of land that adjoins the west right-of-way of Brooker Drive to Ricky Brown. The motion was approved 4-0, with Commissioners Jones, Thomas, Staten and Robbins in agreement.

**Conveyance of Trailblazer Lane from Whitfield County Schools:** Motion was made by Commissioner Thomas and seconded by Commissioner Robbins to accept the warranty deed from Whitfield County Schools conveying Trailblazer Lane in front of North Whitfield Middle School off of Cleveland Hwy for public purposes. The motion was approved 4-0, with Commissioners Jones, Thomas, Staten and Robbins in agreement.

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**Sheriff's Office – Purchase of 25 Vehicles:** Motion was made by Commissioner Jones and seconded by Commissioner Staten to approve the purchase of 25 vehicles for the Sheriff's Office. The following vehicles will be purchase with SPLOST funds; (5) Dodge Durango's \$42,299.50 per vehicle and total of \$211,497.50. (2) Dodge Durango's (Pursuit) \$41,747.50 per vehicle and total of \$83,495.00. (18) Dodge Durango's (Pursuit) \$41,747.50 per vehicle and total of \$751,455.00. Total for all 25 vehicles \$1,046,447.50. The motion was approved 4-0, with Commissioners Jones, Robbins, Staten and Thomas in agreement.

**Food Bank Change Order #1:** Motion was made by Commissioner Thomas and seconded by Commissioner Robbins to approve the change order for the renovation of the Food Bank. During the renovation it was discovered that there was an issue with the rear warehouse corner and foundation that would need to be repaired. Also, a new PVC line and sewer tap are now going to be needed. These two issues constituted the need for this change order. The contract contingency will cover most of the change order cost and the Food Bank will be responsible for the balance. This will be of no cost to the County. The motion was approved 4-0 with Commissioners Jones, Staten, Thomas and Robbins in agreement.

**Public Works – Annual 2023 Bid Crushed Stone:** Motion was made by Commissioner Jones and seconded by Commissioner Robbins to approve the low bid from Vulcan Materials for up to \$150,000 for crushed stone. The motion was approved 4-0, with Commissioners Jones, Staten, Thomas and Robbins in agreement.

**Public Works – Declare Surplus:** Motion was made by Commissioner Jones and seconded by Commissioner Robbins to approve the following as surplus and to auction on Govdeals.com: Unit #351 - 1999 Blaw-Knox Asphalt Paver S/N PF218101- Lack of usage and cost to get it in operating condition Unit #52 - 1995 International 3800 bus - S/N I HVBBABL7SH641340- lack of usage, Unit # 310 2007 New Holland TB-100 tractor S/N -B60236M- lack of usage, Unit #398 2007 Bush hog 8ft S/N - 1214177- lack of usage, Unit# 100 1991 Loadking drop deck trailer S/N - 1 B4 L57466K 1116125- lack of usage. The motion was approved 4-0, with Commissioners Jones, Staten, Thomas and Robbins in agreement.

**Public Works – Vehicle & Equipment Purchase:** Motion was made by Commissioner Staten and seconded by Commissioner Thomas to approve the following purchases; Public Works received bids for the following items, 3/4 ton 4wd Crew cab utility bed truck, Tractor with side and rear mower and a Purposed built boom mower, vendor and cost below. 2023 3/4 Ton crew cab 4wd with utility bed: Friendship Ford, Bristol TN - 2023 Ford F-250 \$60,849.00 each (2) \$121,698.00, Lowest bidder. 2023 Tractor, side & rear mower: Ag-Pro, Dalton, GA - 2023 John Deere with Tiger mowers attached \$140,680.00 each (2) \$281,360.00, lowest bidder after using local vendor privilege Original bid \$145,237.87 (2) \$290,475.7. Purpose Built Boom Mower: Atmax Equipment Tampa. FI- 2023 Mower Max boom mower - \$218,675.25 each (2) \$437,350.50. The purchases will be funded by SPLOST funds. The motion was approved 4-0, with Commissioners Jones, Staten, Thomas and Robbins in agreement.

**City of Varnell Annexations:** Motion was made by Commissioner Robbins and seconded by Commissioner Thomas for no land use classification objection to tax parcel numbers 11-263-01-121, 11-172-02-022 and 11-192-01-008. The motion was approved 4-0, with Commissioners Staten, Jones, Robbins and Thomas in agreement.

**GA Mountains Regional Commission – Ratify Contract Aerial Photography** Motion was made by Commissioner Jones and seconded by Commissioner Staten to ratify the contract with Georgia

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Mountains Regional Commission for digital orthophotography services and aerial photography. The area of interest for Whitfield County is 312 square miles. The GMRC will provide the County with digital aerial photography starting before Feb. 28, 2023 and provide the County with 6' pixel resolution 4-band color infrared digital othrophotography for \$22,716.00. The motion was approved 4-0, with Commissioners Thomas, Staten, Robbins and Jones in agreement.

**EMA – Resolution Hazard Mitigation Plan:** Motion was made by Commissioner Staten and seconded by Commissioner Robbins to approve the Resolution for the 2022 Hazard Mitigation for Whitfield County. The Hazard Mitigation Plan becomes part of the foundation for emergency management planning, exercises, training, preparedness, and mitigation within the County. Such a plan sets the stage for long-term disaster resistance through identification of actions that over time reduce the exposure of people and property to identifiable hazards. This plan provides an overview of the hazards that threaten the County and what safeguards have been implemented. The plan has to be updated every five years. The motion was approved 4-0, with Commissioners Jones, Robbins, Staten and Thomas in agreement.

**PUBLIC COMMENT:**

None.

**ADJOURN** Unanimous



BLANCA CARDONA, COUNTY CLERK

  
JEVIN JENSEN, CHAIRMAN  
WHITFIELD COUNTY BOARD OF COMMISSIONERS

DATE: 3/13/2023