

MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, JULY 10, 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 Jones and seconded by Commissioner Robbins to amend the agenda to include the potential additional items, 1. Approve Opioid Settlement Expenditure, 2. Appointment – Board of Zoning Appeals, 3. Signature Card Update – Bank of Ozark. The amended agenda was approved 4-0, with Commissioners Jones, Thomas, Staten and Robbins in agreement.

Approval of Minutes: Motion was made by Commissioner Thomas and seconded by Commissioner Staten to approve the June 12, 2023 Regular Business Meeting Minutes as presented. The motion was approved 4-0, with Commissioners Jones, Staten, Thomas, and Robbins in agreement.

Chairman Jensen recognized Detective Ronny Morris as Employee of the Month for May 2023. Det. Morris works at the Sheriff's Office.

RECOGNITION

Chairman Jevin Jensen and Sheriff Scott Chitwood presented Det. Ronny Morris with a Life Saving award. Det. Morris helped rescue a two-year old from drowning.

Public Hearing:

Chairman Jensen called for a Public Hearing to hear any comments or concerns the public may have regarding an alcohol license application for I Shree Khodiyar Georgia, LLC d/b/a Bills Grocery located at 4087 S. Dixie Hwy.

There were no comments or concerns voiced regarding this application.

Chairman Jensen then called for a Public Hearing to hear any comments or concerns the public may have regarding an alcohol license application for Family Dollar Store of Georgia, LLC d/b/a Family Dollar Store # 21503 located at 2410 Cleveland Hwy.

There were no comments or concerns voiced regarding this application.

Chairman Jensen then closed the public hearings.

Chairman's Report: Chairman Jensen noted that the tax assessment notices have been mailed out and the last day for citizens to appeal their assessments is July 31, 2023. Jensen also noted that the State of Georgia is issuing property owners an \$18,000 reduction in their assessed value of their property. Jensen further noted that referendums for senior citizen homestead exemptions will be on the November 2023 general election ballot and if approved, will take effect in January 2024. Jensen then

MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, JULY 10, 2023, AT 6:00 P.M. AT THE COURTHOUSE BOC MEETING ROOM LOCATED AT 205 N. SELVIDGE STREET

gave an update on the SPLOST committee noting that the committee will be finalized by the end of July and meetings will begin in August.

Report from Commissioners:

Commissioner Jones, Robbins and Thomas did not have any updates to report for this month. Commissioner Staten thanked the Buildings and Grounds department for their maintenance of the ball fields.

County Administrator Report:

County Administrator Robert Sivick noted the next Whitfield County Joint Comprehensive Stakeholder Committee meeting will be held on July 20 in Peeples Hall at Dalton State College. Sivick also informed the audience about the GA Mountain Moonshine Cruz In Car show that will be held July 27-29 at the Dalton Convention Center. Sivick then introduced to the audience the recently appointed District Attorney Ben Kenemer.

May 2023 Financial Statement: Motion was made by Commissioner Jones and seconded by Commissioner Robbins to approve the April Financial Statement as presented by Comptroller James Garvin. Local Option Sales Tax (LOST) collections: May collections of \$1,178,761 were 6.5% greater than budgeted collections of \$1,106,858. This was 2% greater than April collections of \$1,156,696. YTD collections of \$5,919,150 were 1.5% greater than PY collections of \$5,828,390 for the same time frame. TAVT collections: May collections of \$475,491 were 11% less than April collections of \$534,151. April collections included annual IRP receipts of \$106,893. True May TAVT collections were 11.25% greater than April. YTD collections of \$2,320,827 were 3.75% greater than PY collections of \$2,238,196 for the same time frame. YTD actual revenues of \$18,308,552 were greater than projected revenues of \$16,613,638 by \$1,694,914 or 10.25%. YTD actual expenditures of \$21,422,508 were less than projected expenditures of \$21,596,805 by \$174,296 or .75%. The motion was approved 4-0, with Commissioners Thomas, Jones, Staten and Robbins in agreement.

Public Comment:

No comments

Re-appointments to the Dalton Whitfield Library Board: Motion was made by Commissioner Robbins and seconded by Commissioner Thomas to re-appoint Dr. John Hutcheson Jr. and Jonathan Bledsoe to the Dalton Whitfield Library Board to a three year term to expire June 2026. The motion was approved 4-0, with Commissioners Robbins, Staten, Thomas and Jones in agreement.

Alcohol Beverage License Application: Motion was made by Commissioner Staten and seconded by Commissioner Jones to approve the alcohol beverage application for I Shree Khodiyar Georgia, LLC, d/b/a Bills Grocery located at 4087 S. Dixie Hwy. The motion was approved 4-0, with Commissioners Robbins, Thomas, Staten and Jones in agreement.

Alcohol Beverage License Application: Motion was made by Commissioner Staten and seconded by Commissioner Jones to approve the alcohol beverage application for Family Dollar Stores of Georgia, LLC d/b/a Family Dollar Store # 21503 located at 2410 Cleveland Hwy. The motion was approved 4-0, with Commissioners Robbins, Thomas, Staten and Jones in agreement.

Merit System of Personnel Administration Update/Addition: Motion was made by Commissioner Staten and seconded by Commissioner Thomas to approve the request of the Superior Court Judges of the Conasauga Judicial Circuit to include the following positions, courts and titles to be placed under the merit system: 1. All full-time juvenile court employees 2. The Juvenile Court Administrator Position, 3. All full-time Domestic Violence Court employees, 4. All full-time Drug Court employees, 5.

MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, JULY 10, 2023, AT 6:00 P.M. AT THE COURTHOUSE BOC MEETING ROOM LOCATED AT 205 N. SELVIDGE STREET

Treatment/Accountability Court Administrator Position, 6. All full-time Drug Lab employee(s); and any future added positions, 7. Assistant Court Administrator position, 8. Sr. Admin Tech position; 9. Admin Tech position. The Superior Court Administrator position and the Juvenile Court Judge position are ineligible. Mental Health Court employees do not qualify as they are employees of Murray County. The motion was approved 4-0, with Commissioners Jones, Robbins, Thomas and Staten in agreement.

Superior Court – Interpreter Contract: Motion was made by Commissioner Jones and seconded by Commissioner Staten to approve the contract with Silvia Andrade for the remainder of 2023. The contract is for \$49,375 and the end date is December 31, 2023. The motion was approved 4-0, with Commissioners Jones, Robbins, Thomas and Staten in agreement.

Public Works Road Striping Bid: Motion was made by Commissioner Jones and seconded by Commissioner Thomas to award the road striping bid for the remainder of 2023 and 2024 to CR Coating LLC. The vendor for the 2023 striping & RPM annual bid, Roadside Specialties has gone out of business. Public Works requested bids on June 22 for striping for one year from the bid opening. The sole vendor that submitted a bid. \$400 -\$2800 per linear mile depending on type was CR Coating LLC, out of Calhoun, Ga 30703. The motion was approved 4-0, with Commissioners Jones, Staten, Thomas and Robbins in agreement.

Engineering – Re-roofing Law Enforcement Center Bid Award: Motion was made by Commissioner Jones and seconded by Commissioner Staten to enter into contract and authorize the Chairman to sign the contract with Tri State Roofing Contractors, LLC out of Chattanooga TN for \$1,858,400. Whitfield County sought bids for a complete roof system removal and replacement for the Law Enforcement Center. The facility is made up of 5 separate roof areas covering 86,000 square feet, plus various awnings. Bid notices were advertised for 34 days, beginning June 2. A mandatory pre-bid meeting and tour were conducted on June 21 with 10 contractors in attendance. Four bids were received on July 6. The low bid was from Tri State Roofing Contractors, LLC, of Chattanooga, TN at \$1,858,400. The contract completion date for the roofing project is December 15, 2023. The motion was approved 4-0 with Commissioners Thomas, Staten, Jones, and Robbins in agreement.

City of Varnell Annexation – parcel 11-263-01-163: Motion was made by Commissioner Thomas and seconded by Commissioner Jones for no land use classification objection to tax parcel number 11-263-01-163. The motion was approved 4-0, with Commissioners Staten, Jones, Robbins and Thomas in agreement.

City of Tunnel Hill Annexations: Motion was made by Commissioner Staten and seconded by Commissioner Jones for no land use classification objection to tax parcel numbers 27-018-11-000, 12-001-01-016, and 27-018-05-000, the motion also stipulates that any commercial property boundary adjacent to residential property must observe the applicable zoning buffers found in the Dalton-Whitfield Unified Zoning Ordinance. The motion was approved 4-0, with Commissioners Staten, Jones, Robbins and Thomas in agreement.

Rezoning Recommendation: Motion was made by Commissioner Robbins and seconded by Commissioner Jones to accept the recommendation of the Planning Commission to approve the rezoning request of Bryan Spence to rezone from General Commercial (C-2) to Rural Residential (R-5) a tract of land totaling 0.42 acres located on Hill Road, Dalton, Georgia. Parcel (12-291-07-000). 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

MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, JULY 10, 2023, AT 6:00 P.M. AT THE COURTHOUSE BOC MEETING ROOM LOCATED AT 205 N. SELVIDGE STREET

Commissioner Thomas to approve the following recommendations of the planning commission approving the rezoning requests of; **Michael Hill to rezone from General Agricultural (GA) to Heavy Manufacturing (M-2) a tract of land totaling 28.5 acres located at 220 Cross Plains Blvd, Dalton, Georgia. Parcel (13-100-06-000) and Hunter and Hannah Painter to rezone from Rural Residential (R-5) to General Agricultural (GA) a tract of land totaling 16 acres located at 1656 Trickum Road, Rocky Face, Georgia. Parcel (27-164-04-000).** The motion was approved 4-0, with Commissioners Jones, Staten, Thomas and Robbins in agreement.

Rezoning Recommendation and Special Use Permit: Motion was made by Commissioner Staten and seconded by Commissioner Robbins to accept the recommendation of the Planning Commission to approve the rezoning request and special use permit of **Joshua and Jessica Atchley to rezone from Heavy Manufacturing (M-2) to General Agriculture (GA) and a Special Use Permit for a meat processing/packing operation for a tract of land (parcel 13-206-11-000) containing a total of 6.96-acres located at 4690 South Dixie Highway. The subject property is currently developed with a single-family detached dwelling and two detached metal-sided accessory buildings. The subject property was formerly utilized as an automobile salvage yard and the dwelling had been converted to an office space.** The rezoning request to GA is sought for the petitioner to utilize the subject property for their primary residence as well as a location for their meat processing business. The proposed special use permit was approved with the following condition for the meat processing facility, it should include a 20' buffer along the northern, southern, and western boundaries of the subject property. The motion was approved 4-0, with Commissioners Robbins, Thomas, Staten and Jones in agreement.

Opioid Settlement Expenditures: Motion was made by Commissioner Jones and seconded by Commissioner Robbins to approve the use of opioid settlement funds to hire and equip certified Drug Abuse Counselors to serve the citizens of Whitfield and Murray County. The Nationwide opioid settlements have been reached with multiple manufacturers and retailers regarding the Country's opioid crisis. Whitfield County joined national settlement agreements and has received Opioid Settlement Funds pursuant to these national settlements. An MOU between the State of Georgia ex rel. Chris Carr, Attorney General (the "State"), and certain Georgia Local Government entities ("LGs") govern the allocation, use, and reporting of these funds. Murray County has agreed to combine their Opioid Settlement funds with Whitfield County to fund these services. The motion was approved 4-0, with Commissioners Thomas, Staten, Jones and Robbins in agreement.

Appointment - Dalton Whitfield Board of Zoning Appeals: Motion was made by Commissioner Jones and seconded by Commissioner Thomas to appoint Talli Williams to the Dalton Whitfield Board of Zoning Appeals. Ms. Williams will fill the unexpired term of Debby Peppers to expire on June 30, 2024. The motion was approved 4-0, with Commissioners Thomas, Staten, Jones and Robbins in agreement.

Bank of the Ozark Signature Card: Motion was made by Commissioner Staten and seconded by Commissioner Robbins to approve adding Chief Financial Officer Debbie Godfrey as an authorized signer for the ARPA account at Bank of OZK. The motion was approved 4-0, with Commissioners Jones, Robbins, Thomas and Staten in agreement.

PUBLIC COMMENT:

MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, JULY 10, 2023, AT 6:00 P.M. AT THE COURTHOUSE BOC MEETING ROOM LOCATED AT 205 N. SELVIDGE STREET

Stacy Doran addressed the Board about paper ballots for Whitfield County elections.

Daryl Long addressed the Board about the possibility of a guard rail on Mill Creek Road.


Harvey Wysong addressed the Board about paper ballots in Whitfield County elections.

David Obenauer addressed the Board about paper ballots in Whitfield County elections.

Timothy Daniel asked the Board about the SPLOST committee requirements.

William Epps thanked the Voters Registrar's office for reviewing and purging Whitfield County's voters rolls.

ADJOURN Unanimous


JEVIN JENSEN, CHAIRMAN
WHITFIELD COUNTY BOARD OF COMMISSIONERS


BLANCA CARDONA, COUNTY CLERK

DATE: 8/14/2023