

MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, AUGUST 14, 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 Staten to approve the agenda as presented. The motion 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 Jones to approve the July 10, 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 Pamela Whaley as Employee of the Month for June 2023. Ms. Whaley works in the Buildings and Grounds Department.

RECOGNITION:

Dante Handel with the Association of County Commissioners of Georgia presented State Rep. Kasey Carpenter with an award for his work during the 2023 Legislative Session.

PROCLAMATION – Constitution Week September 17-23, 2023: Motion was approved by Commissioner Jones and seconded by Commissioner Robbins to approve the proclamation designating September 17-23, 2023 as Constitution Week in Whitfield County. The motion was approved 4-0, with Commissioners Jones, Staten, Thomas and Robbins in agreement.

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 Khawadvala Traders Inc., d/b/a AJ Mini Mart located at 2600 E. Walnut Ave, Unit A.

There were no comments or concerns voiced regarding this application.

Chairman Jensen then closed the public hearing.

Chairman's Report: Chairman Jensen noted that the grand opening for the Food Bank was held on August 9. This is an expansion with three dock doors, refrigeration for fruits and vegetables, a freezer for keeping proteins like fish, turkeys, and things like that frozen, so they can serve five over five million meals out of that facility. So hopefully, nobody in Whitfield County or surrounding counties as well, will go hungry, so that's a great thing. If you haven't been down there, it's a really nice-looking facility, but the main thing is it's sufficient to get the food in and out and get it to the people that need it the most. Jensen further noted that the Intergovernmental Agreement with Varnell for a tax allocation district

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(TAD) is on tonight's agenda. Jensen noted that Varnell City voted in 2014 to have the ability to create TADS. Whitfield County voters have repeatedly voted down the ability to create TADs. Jensen also noted that the Second Annual Battle of the Badges will be held on September 9, 2023 at 10am at Riverbend Park.

Report from Commissioners:

Commissioner Jones and Thomas did not have any updates to report for this month. Commissioner Staten noted the Cruz – In car show that was held at the Dalton Convention Center was a fantastic event. Commissioner Robbins noted he has a Library Board meeting this upcoming Thursday.

County Administrator Report:

County Administrator Robert Sivick noted the Senior Center will host a Luau on August 31 anyone over the age of 50 can attend. Sivick also noted that the Grand Opening of the Whitfield – Murray Conasauga Addiction Recovery Center will be on August 15 inside of the Accountability Courts Building.

June 2023 Financial Statement: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to approve the June Financial Statement as presented by Chief Financial Officer Debbie Godfrey. Local Option Sales Tax (LOST) collections: June collections of \$1,279,120 were 15.6% greater than budgeted collections of \$1,106,858. This was 8.5% greater than May collections of \$1,178,761. YTD collections of \$7,198,270 were 1.4% greater than PY collections of \$7,098,682 for the same time frame. TAVT collections: June collections of \$477,861 were .50% more than May collections of \$475,491. YTD collections of \$2,798,688 were 4.6% greater than PY collections of \$2,676,541 for the same time frame. YTD actual revenues of \$21,390,250 were greater than projected revenues of \$19,170,511 by \$2,219,740 or 11.6%. YTD actual expenditures of \$26,730,607 were more than projected expenditures of \$26,719,536 by \$11,072 or .04%. The motion was approved 4-0, with Commissioners Thomas, Jones, Staten and Robbins in agreement.

Public Comment:

The following members of the public spoke in favor of the intergovernmental agreement with the City of Varnell for a Tax Allocation District.

Mayor Tom Dickson, Carter Hayes, Dean Stamper, Dan Peeples and Rep. Kasey Carpenter.

The following members of the public spoke in opposition of the intergovernmental agreement with the City of Varnell for a Tax Allocation District.

Vicky Alt, Matt Coker, Lauren Phillips, Larry Swanson, Daniel Alt, Carol Matthews, John Alt, Susan Baggett and William Richards.

PRESENTATION:

2022 Auditors Discussion & Analysis – Mauldin & Jenkins: James Bense from Mauldin and Jenkins gave brief overviews of the independent auditors report, the Annual Comprehensive Financial Report, financial statements, footnotes, compliance reports, and audit scope and procedures to the Board regarding the 2022 audit.

Chairman Jensen noted the reports will be online at the County's website for the public to review.

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Intergovernmental Agreement (IGA – Varnell TAD): Motion was made by Commissioner Robbins and seconded by Commissioner Staten to enter into an intergovernmental agreement (IGA) with the City of Varnell for a Tax Allocation District (TAD) for the property identified as Patterson Farms. Commissioner Robbins addressed the Board and members of the public his reasoning for his motion and a copy of his speech is included in these minutes. After an extended discussion, the motion was approved 3-2, with Commissioners Staten, Robbins and Chairman Jensen in agreement. Commissioners Jones and Thomas dissented.

Alcohol Beverage License Application: Motion was made by Commissioner Staten and seconded by Commissioner Thomas to approve the alcohol beverage application for Khawadvala Traders Inc., d/b/a AJ Mini Mart located at 2600 E. Walnut Ave Unit A. The motion was approved 4-0, with Commissioners Robbins, Thomas, Staten and Jones in agreement.

2022 Audit– Mauldin & Jenkins: Motion was made by Commissioner Robbins and seconded by Commissioner Staten to accept the 2022 Audit Presentation from Mauldin and Jenkins. In discussion, James Bense from Mauldin and Jenkins gave a brief summary to the Board regarding the 2022 audit. The motion was approved 4-0, with Commissioners Robbins, Jones, Thomas, and Staten in agreement.

City of Varnell Annexation – parcel 11-190-03-002: Motion was made by Commissioner Staten and seconded by Commissioner Jones for no land use classification objection to tax parcel number 11-190-03-002. The motion was approved 3-1, with Commissioners Staten, Jones and Robbins in agreement. Commissioner Thomas dissented.

Juvenile Court – 2023 Delinquency Prevention Program Grant: Motion was made by Commissioner Thomas and seconded by Commissioner Staten to approve Juvenile Court applying for the FY 2023 Delinquency Prevention Grant. This is a continuation of the grant the Juvenile Court received in 2022. The Delinquency Prevention Grants Program provides financial and technical assistance to implement the Strengthening Families Program 7-17 (SFP 7-17). This grant provides continued funding for the implementation of SFP 7-17 to youth who are first time offenders, diverted from the juvenile justice system, or charged with a CHINS offense and identified as at-risk. The maximum dollar amount per award for the continuation of the grant is \$42,000, with no County match required. The award period is October 1, 2023 - September 30, 2024. Awarded agencies will be eligible for continued funding through September 30, 2025. The application deadline is Friday, August 4, 2023. The motion was approved 4-0, with Commissioners Staten, Robbins, Jones and Thomas in agreement.

Superior Court – Perpetual Solution Electronic Signage: Motion was made by Commissioner Staten and seconded by Commissioner Robbins to approve the purchase of an on premise/perpetual solution turnkey Electronic Docket and Signage from INFAX for \$41,607. This includes premium software support to include new software versions. This purchase will be funded by the 2020 SPLOST. The motion was approved 4-0, with Commissioners Jones, Robbins, Thomas and Staten in agreement.

County Transit Service: Motion was made by Commissioner Staten and seconded by Commissioner Jones to approve submitting the State Fiscal Year 2024 5307 Urban Transportation Grant application. If awarded, these funds would be used to offset operating and capital costs incurred by the transit service. The Board of Commissioners would be responsible for a 50% match of operating funds and a 10% match of capital funds. Due to Whitfield County trending urban, the exact dollar amount to be awarded is unknown. However, the amount is not to exceed funds approved for the State Fiscal Year 2024. The motion was approved 4-0, with Commissioners Jones, Staten, Thomas and Robbins in agreement.

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ARPA Funding for Various Expenditures: Motion was made by Commissioner Jones and seconded by Commissioner Staten to approve various 2023 expenditures be funded with ARPA dollars. County Administration is requesting that ARPA funds be used for the following expenditures: CHIP (housing grant) match expenditures for lead inspections and project write-ups. We estimate total costs of \$10,000. We have spent \$4,000 on the first 3 homes and we have enough grant funds to add 3 or 4 more homes to the program. Edwards Park sewer repairs, \$7,382 was spent to repair the pumps in April and up to another \$50,000 was approved at the June meeting for additional repairs and/or replacement. State mandated one-time retention bonuses for District Attorney and Public Defender staff. The total cost was \$97,961.51 which includes the bonuses of \$91,000 and the County's FICA match of \$6,961.51. The motion was approved 4-0, with Commissioners Staten, Jones, Thomas and Robbins in agreement.

Engineering Department – North Gillum Drive Design: Motion was made by Commissioner Staten and seconded by Commissioner Jones to authorize additional services from Atlas Technical Consultants LLC for \$22,180. This agreement was approved on May 21, 2021 for surveying the North Oaks to Gillum Drive Basin. Requesting additional services to provide final construction drawings in three separate phases for North Oaks - Gillum Dr. Basin Culvert Improvements. Phase I: Preparation of Hydro Design and construction plans to show drainage improvements between Gillum Drive to Hollywood Drive. Phase II: Preparation of Hydro Design and construction plans to show drainage improvements between Hollywood Drive to north side of York Street. Phase III: Preparation of Hydro Design and construction plans to show drainage improvements for the box culvert underneath Cleveland Highway (SR71). This phase starts from north of York Street to northwest of Cleveland Highway Right-of-way. Traffic Control Plans and GDOT permitting will be included in this phase. Supplemental agreement to Atlas Proposal No. 21-09780. The motion was approved 4-0, with Commissioners Robbins, Jones, Thomas and Staten in agreement.


Engineering – Re-roofing Law Enforcement Center Contract Amendment: Motion was made by Commissioner Robbins and seconded by Commissioner Jones to accept the contract amendment in the amount of \$45,310 with Tri State Roofing Contractors, LLC out of Chattanooga TN, which will adjust the contract amount to \$1,903,710.00. In preparing the bid documents for the roof replacement on the Law Enforcement Center, an item was omitted from the bid form. The contractor is expected to disconnect, remove, replace, and reconnect the lightning grounding system on all five of the roofs to be replaced. The work must be inspected and recertified by a qualified inspector. This pay item was left off the bid form by mistake. Tri-State Roofing has submitted a quote for the work in the amount of \$45,310. This amount would simply have been added to their original bid had the pay item not been omitted. The new contract amount would be \$1,903,710. The motion was approved 4-0, with Commissioners Thomas, Staten, Jones, and Robbins in agreement.

Appointment of 2024 SPLOST Committee Members: Motion was made by Commissioner Robbins and seconded by Commissioner Jones to approve the members of the 2024 SPLOST Advisory Committee. The motion was approved 4-0, with Commissioners Jones, Staten, Thomas and Robbins in agreement.

PUBLIC COMMENT:

No comments.

ADJOURN Unanimous


JEVIN JENSEN, CHAIRMAN
WHITFIELD COUNTY BOARD OF COMMISSIONERS

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Blanca Cardona

BLANCA CARDONA, COUNTY CLERK

DATE: *9/11/2023*

For Tax Allocation District as presented by the City of Varnell, GA

Mr. Chairman,

I am making the following motion to be placed in the minutes of this Board of Commission meeting. A written copy will be provided to the County Clerk.

I am making a motion to approve the Intergovernmental Agreement as written between Whitfield County and the City of Varnell related to the Tax Allocation District and the Patterson Farm request.

The property is identified as Patterson Farms, situated in the City of Varnell. The Varnell Council has previously approved the TAD and has requested Whitfield County participate in the TAD, just as has occurred with multiple TADs with the City of Dalton.

This project creates the type of neighborhood not currently available in Whitfield County and offers different housing types at various price points.

The project offers retail and recreational opportunities. The retail offerings will produce new sales tax not currently being captured.

Subsequently, there will be an increase in property taxes, adding value to the digest. The digest increases will create opportunities for millage rate decreases. This occurs due to the new organic growth in the area. Real property improvements are the best investment for the tax digest.

This TAD agreement limits the amount of funds that can be applied, limits the timeline that funds can be allocated, and dictates what funds can be used for. Eligible recreational expenditures will benefit both the residents of this development and the citizens of the entire county -- since they will be open to all.

The success or failure of this development will have no adverse effect on County taxpayers or property values since Whitfield County is not and will not be liable for any outstanding expenses, work, or bonds. The long-term positive effect is a larger tax base and the ability to lower tax rates.