

MINUTES FOR THE REGULAR BUSINESS MEETING OF THE WHITFIELD COUNTY BOARD OF COMMISSIONERS HELD MONDAY, SEPTEMBER 11, 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 (ABSENT)
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 3-0, with Commissioners Jones, Thomas, and Robbins in agreement.

Approval of Minutes: Motion was made by Commissioner Robbins and seconded by Commissioner Jones to approve the August 14, 2023 Regular Business Meeting Minutes and August 28, 2023 Special Called Meeting Minutes as presented. The motion was approved 3-0, with Commissioners Jones, Thomas, and Robbins in agreement.

Chairman Jensen recognized Carter Thomas as Employee of the Month for July 2023. Mr. Thomas works in the Public Defenders Office.

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 Maninagar 1008 LLC d/b/a Road Runners located at 1822 Dug Gap Rd.

There were no comments or concerns voiced regarding this application.

Chairman Jensen then called a Public Hearing to hear any comments or concerns the public may have regarding an alcohol license application for Corona Inc. d/b/a La Coronita #2 located at 131 Dawnville Rd.

There were no comments or concerns voiced regarding this application.

Chairman Jensen then called a Public Hearing to hear any comments or concerns the public may have regarding an alcohol license application for Dannys Deals Dalton d/b/a One Stop Mart located at 1293 Dawnville Rd. Unit A.

There were no comments or concerns voiced regarding this application.

Chairman Jensen then closed the public hearings

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Chairman's Report: Chairman Jensen took a moment to reflect, remember and honor those who passed away on September 11, 2001 and continue to keep those who were injured or sick in our thoughts and prayers.

Report from Commissioners:

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

County Administrator Report:

County Administrator addressed the Board on the following; County Transit shift from rural to urban funding, Georgia Housing Access & Affordability Task Force Meeting (hosted at Dalton State) and gave a review of the annual Battle of the Badges Review.

July 2023 Financial Statement: Motion was made by Commissioner Jones and seconded by Commissioner Robbins to approve the July Financial Statement as presented by Chief Financial Officer Debbie Godfrey. Local Option Sales Tax (LOST) collections: July collections of \$1,743,098 were 57.48% greater than budgeted collections of \$1,106,858. However, please note that July collections include a one-time payment of \$577,772 for underpayments by the Georgia Dept. of Revenue since Sep 2022. Deducting that amount, July collections are \$1,165,326 which is 5.28% greater than budgeted collections. July total collections were 36.27% greater than June collections of \$1,279,120. After deducting the one-time payment, July collections are 8.9% less than June. YTD collections of \$8,941,368 were 7.57% greater than PY collections of \$8,312,230 for the same time frame. TAVT collections: July collections of \$401,006 were 16.08% less than June collections of \$477,861. YTD collections of \$3,092,801 were 4.93% greater than PY collections of \$2,947,577 for the same time frame. YTD actual revenues of \$24,664,506 were greater than projected revenues of \$21,470,458 by \$3,194,048 or 14.88%. YTD actual expenditures of \$31,232,852 were more than projected expenditures of \$31,095,880 by \$136,973 or .44%. The motion was approved 3-0, with Commissioners Thomas, Jones and Robbins in agreement.

Public Comment:

No comments.

Alcohol Beverage License Applications: Motion was made by Commissioner Jones and seconded by Commissioner Thomas to approve the alcohol beverage applications for Maninagar 1008 LLC d/b/a Road Runners located at 1822 Dug Gap Rd., Corona Inc. d/b/a La Coronita #2 located at 131 Dawnville Rd. and Dannys Deals Dalton d/b/a One Stop Mart located at 1293 Dawnville Rd. Unit A. The motion was approved 3-0, with Commissioners Robbins, Thomas and Jones in agreement.

City of Dalton Annexation – parcel 12-179-02-051: Motion was made by Commissioner Thomas and seconded by Commissioner Jones for no land use classification objection to tax parcel number 12-179-02-051. The motion was approved 3-0, with Commissioners Jones, Thomas and Robbins in agreement.

Allocation of Local Assistance and Tribal Consistency Federal Funds: Motion was made by Commissioner Robbins and seconded by Commissioner Thomas to approve the allocation of the LATCF funds to the Prater's Mill building project. The County has received \$100,000 in Local Assistance and Tribal Consistency Funds (LATCF) that are part of the American Rescue Plan Act. These funds can be used for almost any general government expenditure. The BOC is required to officially approve the allocation of these funds for a particular service or services. County Administration is asking that these

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funds be allocated to the repair/renovation of the Prater's Mill building. The motion was approved 3-0, with Commissioners Thomas, Robbins and Jones in agreement.

Resolution – Reconnecting Communities Grant Application: Motion was made by Commissioner Thomas and seconded by Commissioner Robbins to approve the resolution to apply for a planning grant under the 2023 Reconnecting Communities and Neighborhoods grant program. County Administration is seeking approval to apply for a community planning grant under the 2023 Reconnecting Communities and Neighborhoods (RC) Grant. The purpose of the RC is to reconnect communities and neighborhoods by removing, retrofitting, or mitigating transportation facilities such as roads, highways, and rail lines that create barriers to community members for accessing daily needs such as work, school, recreation, and food. If awarded, the grant will fund planning studies and community engagement for a reconnection project in the Cohutta community. The maximum allowed grant award is \$2 million requiring a match of \$400,000; however, the estimated cost of the planning activities should not exceed \$100,000 requiring a match of \$20,000. The grant application is due September 28, 2023.

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 3-0, with Commissioners Jones, Robbins and Thomas in agreement.

Bank of the Ozark Signature Card: Motion was made by Commissioner Robbins and seconded by Commissioner Jones to approve removing former Whitfield County Comptroller James Garvin from the signature card as an authorized signer for the ARPA account at Bank of OZK. The motion was approved 3-0, with Commissioners Jones, Robbins and Thomas in agreement.

Clerk of Superior Court – Deed Digitalization Project: Motion was made by Commissioner Robbins and seconded by Commissioner Thomas to approve the increase to the Kofile contract to \$528,900 to digitize historic documents and land deed records. In September 2021, the BOC approved up to \$500,000 to be paid with ARPA funding to the vendor Kofile for the Clerk's deed digitization project. To date, Kofile has billed \$407,145.10 for the project. The project is in its last stage and \$120,900 more is needed to complete the years 1971-1978. This will exceed the original approved amount of \$500,000 by \$28,045.10. We seek BOC approval to increase the total approved amount to \$528,045.10. It should be noted that the Georgia Superior Court Clerks' Cooperative Authority (GSCCCA) has given the County a total of \$103,929 towards this project which makes the net cost to the County for this project \$424,116.10. The motion was approved 3-0, with Commissioners Jones, Thomas and Robbins in agreement.

County Transit Service – FY 2025 5307 Urban Transportation Grant: Motion was made by Commissioner Jones and seconded by Commissioner Thomas to submit the application to the Georgia Department of Transportation for funds from the Formula 5307 Urban Transportation Grant. 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 2025. The motion was approved 3-0, with Commissioners Thomas, Robbins and Jones in agreement.

County Transit Service – FY 2024 Transit Trust Fund Program: Motion was made by Commissioner Robbins and seconded by Commissioner Jones to approve applying for the FY 2024 Transit Trust Fund Program. Whitfield County Transit requests to apply for \$138,177.00 in capital and operating funds from the Transit Trust Fund Program Fiscal Year 2024. This funds are awarded at 100%, no match required. The motion was approved 3-0, with Commissioners Jones, Thomas and Robbins in agreement.

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Engineering Department – Parking Deck Repair: Motion was made by Commissioner Jones and seconded by Commissioner Robbins to accept the cost proposal from Multiplex, LLC for \$57,428 and authorize the Chairman to sign the contract. The County's public parking deck is in need of some brick repairs. In several places around the deck, some cosmetic brickwork has cracked or broken, and some bricks have become loose. The cracks let water in, which will cause more damage if not repaired. The cracking is not structural and does not affect the safety of the deck; however, loose bricks may fall out of place and could therefore become a danger to people and cars below. Multiplex, LLC has inspected the deck and provided a cost proposal to make the emergency repairs. Their proposed cost is \$57,428.00. Multiplex will find the closest color match to the existing brick and will reuse existing brick where possible. The motion was approved 3-0, with Commissioners Robbins, Jones and Thomas in agreement.

Fire Department MOU w/GA Northwestern Technical College: Motion was made by Commissioner Jones and seconded by Commissioner Thomas to enter into an memorandum of understanding with GNTC (Georgia Northwestern Technical College) to form a partnership to promote quality education and development for potential employees. WCFD desires to enter into a Memorandum of Understanding (MOU) with Georgia Northwestern Technical College (GNTC). This partnership will promote quality education and development for employees and potential employees to gain college credit. WCFD will provide certified instructors to teach approved related classes. In return, GNTC will provide the space and equipment for the instruction. This partnership will help prepare our employees for State Medical Certification and allow the employee to gain credit hours for an Associates Degree. GNTC will see an increase in enrollment and a better utilization of the local campus. The motion was approved 3-0, with Commissioners Thomas, Jones and Robbins in agreement.

Sheriff's Office – Emergency Generator Repair for Detention Center: Motion was made by Commissioner Jones and seconded by Commissioner Thomas to accept the low bid from Standby Service Solutions, LLC, for emergency generator repair at the Detention Center for \$16,283. This item proposes funding for the repair of a system designed to ensure that lighting, basic building functions, security and other operations can continue during a power outage. The specific part that is not functioning correctly is a computer/electronic switch system designed to automatically turn the generator on in case of a loss in power. This system has failed, and the only backup system involves manually accessing the system, instead of using the designed automatic switch system. Potential problems from manual starting include delays (due to maintenance personnel potentially not being at the facility when the failure occurs) in emergency situations. This would create a delay in getting systems online, which could affect normal jail functions, and create potential safety, security and liability issues. Additional concerns with delaying the repair include concerns about the safety of personnel who would need to manually operate this process, especially in inclement weather situations. The motion was approved 3-0, with Commissioners Jones, Thomas and Robbins in agreement.

Rezoning Recommendation: Motion was made by Commissioner Jones and seconded by Commissioner Robbins to approve the following recommendation of the planning commission approving the rezoning request of; **Bobbie Jo Fetzer to rezone from Rural Residential (R-5) to General Agriculture (GA) a tract of land totaling 127 acres located on McGaughey Chapel Road Hill Road, Dalton, Georgia. Parcel (11-129-01-000) to include a condition prohibiting concentrated animal feeding operations for poultry or swine.** The motion was approved 3-0, with Commissioners Jones, Thomas and Robbins in agreement.

Rezoning Recommendation: Motion was made by Commissioner Jones and seconded by Commissioner Robbins to approve the following recommendation of the planning commission to deny the rezoning request of; **Josh Land to rezone from Low Density Single Family Residential (R-2) to Rural**

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Residential (R-5) a tract of land totaling 0.83 acres located at 469 Sam Love Road, Rocky Face, Georgia. Parcel (12-150-41-000). The motion to deny was approved 3-0, with Commissioners Jones, Thomas and Robbins in agreement.

Rezoning Recommendation: Motion was made by Commissioner Jones and seconded by Commissioner Robbins to approve the following recommendation of the planning commission approving the rezoning request of; **Clinton Davis Moore and Clinton Douglas Moore to rezone from Low Density Single Family Residential (R-2) to General Agriculture (GA) a tract of land totaling 6.01 acres located at 3980 Lowery Lane, Rocky Face, Georgia. Parcel (27-312-02-000).** The motion was approved 3-0, with Commissioners Jones, Thomas and Robbins in agreement.

Rezoning Recommendation: Motion was made by Commissioner Jones and seconded by Commissioner Robbins to approve the following recommendation of the planning commission approving the rezoning request of; **North Georgia EMC to rezone from Low Density Single Family Residential to General Commercial (C-2) a tract of land totaling 1.76 acres located at 1800 Cleveland Highway, 103 Fleming Street, 105 Fleming Street, 107 Fleming Street, and 201 Fleming Street, Dalton, Georgia. Parcels (12-142-02-028, 12-142-02-027, 12-142-02-026, 12-142-02-025 and 90-142-02-024).** The motion was approved 3-0, with Commissioners Jones, Thomas and Robbins in agreement.

Rezoning Recommendation: Motion was made by Commissioner Jones and seconded by Commissioner Robbins to approve the following recommendation of the planning commission approving the rezoning request of; **WBAK Properties to rezone from Low Density Single Family Residential (R-2) to Rural Residential (R-5) a tract of land totaling 2 acres located on Reed Road, Dalton, Georgia. Parcel (12-106-34-000).** The motion was approved 3-0, with Commissioners Jones, Thomas and Robbins in agreement.

Public Works – E & D Bridge Contract Change Order #1: Motion was made by Commissioner Jones and seconded by Commissioner Robbins to approve contract change order # 1 for \$532,170.90 with E & D Contracting Co. The project involves rehabilitation of five major bridges on County roads. The contractor, E&D Contracting Co., is making repairs to the bridges in order to have the current weight restrictions lifted and restore them to full capacity, as well as extend their service lives. In the process of doing the work, it has been necessary to place significantly more stone under the bridges to prevent erosion. It has also taken more concrete than previously estimated. This is due to erosion that occurred after the estimates were originally made in 2019. The total cost of these additional materials and labor is \$532,170.90. This change order would increase the contract amount from \$1,866,532.50 to \$2,398,703.40. The motion was approved 3-0, with Commissioners Robbins, Jones and Thomas in agreement.

Special Use Permit: Motion was made by Commissioner Jones and seconded by Commissioner Robbins to accept the recommendation of the Planning Commission to deny the Special Use Request for Jerry and Renee Lisenbee; 3801 Crow Road, Dalton. The Lisenbee property is currently and correctly zoned for a "Family Personal Care Home" for 6 or less individuals. The Lisenbees do not need a Special Use permit in order to operate a "Family Personal Care Home" for 6 or less individuals. They can operate a "Family Personal Care Home" without any action from the Board. Even though the Lisenbees filed a Special Use application for a "Group Personal Care Home," they stated during the Planning Commission hearing they are only wanting a "Family Personal Care Home" for no more than 6 individuals. The motion was approved 3-0, with Commissioners Robbins, Thomas and Jones in agreement.

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Varnell Paving Cemetery Road: Motion was made by Commissioner Thomas and seconded by Commissioner Jones to postpone this item. The motion was approved 3-0, with Commissioner Robbins, Jones and Thomas in agreement.

PUBLIC COMMENT:

No comments.

ADJOURN Unanimous



JEVIN JENSEN, CHAIRMAN
WHITFIELD COUNTY BOARD OF COMMISSIONERS



BLANCA CARDONA, COUNTY CLERK

DATE: 9/19/2023