

WHITE COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE WORK SESSION HELD

MONDAY, SEPTEMBER 30, 2019 AT 4:30 P.M.

The White County Board of Commissioners held a Work Session on Monday, September 30, 2019 at 4:30 p.m. in the Board Room at the White County Administration Building. Present for the meeting were: Chairman Travis Turner, Commissioner Terry Goodger, Commissioner Lyn Holcomb, Commissioner Edwin Nix, Commissioner Craig Bryant, County Manager Michael Melton, County Attorney Mary Jane Henneke, Finance Director Jodi Ligon, and County Clerk Shanda Murphy.

MR. SPENCER CARR WITH THE CARR LAW GROUP TO PRESENT INFORMATION TO THE BOARD CONCERNING NATIONAL OPIOID LITIGATION.

Mr. Spencer Carr with the Carr Law Group presented information to the Board regarding the option for White County to participate in the national, multi-jurisdictional lawsuit against opioid manufacturers. He stated that his firm was partnering with the Tate Law Group in order to provide representation for some local jurisdictions. Mr. Mark Tate with the Tate Law Group addressed the Board regarding the impact opioid abuse has had on White County and his experience in litigating such cases.

DISCUSS THE LAND USE VARIANCE APPLICATION FILED BY MR. RONDAL GARMON ON BEHALF OF COMMUNITY BAPTIST CHURCH TO REQUEST VARIANCE FROM APPENDIX C/ARTICLE IX/SECTION 901/6 FOR BUILDING SETBACK ON PROPERTY LOCATED AT 1745 SKYLAKE ROAD SAUTEE NACOOCHEE, GA 30571. TOTAL ACREAGE OF PROPERTY AFFECTED IS 0.763 ACRES OF A 2.90 ACRE TRACT ON TAX MAP 069-141. PRESENT USE IS A-1 AGRICULTURE FORESTRY DISTRICT.

Mr. John Sell, Director of Community & Economic Development, presented the land use application filed by Mr. Rondal Garmon on behalf of Community Baptist Church in order to request a variance from Appendix C, Article IX, Section 901 (6) for building setbacks on property located at 1745 Skylake Road Sautee Nacoochee, GA 30571. The total acreage of the affected property is 0.763 acres of a 2.90 acre tract on tax parcel 069-141. The present land use classification is A-1, Agriculture Forestry District. Mr. Sell stated that the church planned to construct a 20 x 30 picnic shelter within the required 50' setback established with in the A-1 district – with the project being 39' from one property line and 27' from another property line. He noted that the Planning Commission had held a Public Hearing on this request and unanimously recommended this for approval.

There was a consensus that this item would be placed on the October 7, 2019 consent agenda.

DISCUSS THE LAND USE APPLICATION FILED BY MR. GREGORY CHASTAIN TO REDISTRICT PROPERTY LOCATED AT 8343 DUNCAN BRIDGE ROAD CLEVELAND, GA 30528 FROM A-1, AGRICULTURE FORESTRY TO C-2, HIGHWAY BUSINESS –

WITH THE TOTAL ACREAGE TO BE EFFECTED BY THE REDISTRICTING BEING 4.339 ACRES ON TAX MAP 076-338 (35.59 ACRES).

Mr. John Sell presented the land use application filed by Mr. Gregory Chastain to redistrict property located at 8343 Duncan Bridge Road Cleveland, GA 30528 from A-1, Agriculture Forestry to C-2, Highway Business – with the total acreage to be effected by the redistricting being 4.339 acres of 35.59 acres on tax map 076-338. Mr. Sell stated that Mr. Chastain is arranging his estate and the property is situated in an appropriate area to be utilized as C-2 in the future. He noted that the Planning Commission had held a Public Hearing on this request and unanimously recommended this for approval.

There was a consensus that this item would be placed on the October 7, 2019 consent agenda.

DISCUSS THE LAND USE APPLICATION FILED BY MR. GREGORY CHASTAIN TO REDISTRIBUTE PROPERTY LOCATED AT 8362, 8386, AND 8402 DUNCAN BRIDGE ROAD CLEVELAND, GA 30528 FROM A-1, AGRICULTURE FORESTRY TO R-1, RESIDENTIAL SINGLE FAMILY – WITH THE TOTAL ACREAGE TO BE EFFECTED BY THE REDISTRICTING BEING 4.688 ACRES ON TAX MAP 076-338 (35.59 ACRES).

Mr. Sell presented the land use application filed by Mr. Gregory Chastain to redistrict property located 8362, 8386, and 8402 Duncan Bridge Road Cleveland, GA 30528 from A-1, Agriculture Forestry to R-1, Residential Single Family – with the total acreage to be effected by the redistricting being 4.688 acres of the 35.59 acres on tax map 076-338. Mr. Sell repeated that Mr. Chastain is arranging his estate and these properties were appropriately situated and utilized for residential single family and leave the property owner with the remaining in agricultural use. He noted that the Planning Commission had held a Public Hearing on this request and unanimously recommended this for approval.

There was a consensus that this item would be placed on the October 7, 2019 consent agenda.

DISCUSS THE LAND USE APPLICATION FILED BY MS. SUSAN FLECK FOR A CONDITIONAL USE PERMIT FOR SHORT TERM RENTAL IN AN R-1, SINGLE FAMILY RESIDENTIAL DISTRICT, ON PROPERTY LOCATED AT 3214 PARADISE VALLEY ROAD CLEVELAND, GA 30528 – WITH THE TOTAL ACREAGE BEING 1.0 ACRE ON TAX MAP 006-016.

Mr. Sell presented the land use application filed by Ms. Susan Fleck for a Conditional Use Permit for Short Term Rental in an R-1, Single Family Residential District, on property located at 3214 Paradise Valley Road Cleveland, GA 30528 – with the total acreage being 1.0 acres in tax map 006-016. He stated that this property is located in a subdivision which does not have covenants and Ms. Fleck had obtained the required signatures from neighboring properties – as well as having met the other requirements for short term rental in a residential area. He noted that the Planning Commission had held a Public Hearing on this request and unanimously recommended this for approval. Commissioner Bryant emphasized the requirement to obtain a business registration and remit hotel / motel tax once approved.

There was a consensus that this item would be placed on the October 7, 2019 consent agenda.

DISCUSS THE LAND USE APPLICATION FILED BY MR. DENNIS GREENE TO REDISTRIBUTE PROPERTY LOCATED AT 610 INDUSTRIAL BOULEVARD CLEVELAND, GA 30528 FROM A-1, AGRICULTURAL FORESTRY DISTRICT TO I-1, INDUSTRIAL DISTRICT – WITH TOTAL ACREAGE TO BE EFFECTED BEING 8.0 ACRES ON TAX MAP 050-143.

Mr. Sell presented the land use application filed by Mr. Dennis Greene to redistribute property located at 610 Industrial Boulevard Cleveland, GA 30528 from A-1, Agriculture Forestry to I-1, Industrial District – with the total acreage to be effected being 8.0 acres on tax map 050-143. He indicated that the property was best categorized as industrial and this was brought to staff's attention when a new business license was applied for, which triggered Mr. Greene to initiate the redistributing process. He noted that the Planning Commission had held a Public Hearing on this request and unanimously recommended this for approval.

There was a consensus that this item would be placed on the October 7, 2019 consent agenda.

DISCUSS A SPLOST FUNDING REQUEST FOR REPAIRS TO THE HISTORIC COURTHOUSE MUSEUM FROM THE WHITE COUNTY HISTORICAL SOCIETY.

Mr. Bill Huff, Treasurer of the White County Historical Society, presented a request for SPLOST funding for repairs and improvements to the Historic Courthouse. He noted that the 2014 SPLOST designated \$100,000.00 for the Historic Courthouse, of which \$86,000.00 has been spent – with \$14,000.00 remaining. Mr. Huff indicated that the proposed work is estimated to cost \$30,000.00 – therefore he requested the Board designate an additional \$16,000.00. There was a consensus that this item would be placed on the October 7, 2019 consent agenda.

DISCUSS A RESOLUTION PROVIDING AUTHORIZATION FOR CODE ENFORCEMENT IN WHITE COUNTY TO THE SHERIFF'S OFFICE.

Chairman Turner explained that Sheriff Neal Walden had agreed to designate someone on his staff for code enforcement under the guidance of Mr. John Sell, Director of Community & Economic Development and that Sheriff Walden had prepared a resolution whereby the Board of Commissioners would authorize the Sheriff to enforce all ordinances of White County. Passage of this resolution would approve the associated expenses for the code enforcement officer assigned to the Sheriff's Office (approximately \$70,000.00 not including fringe benefit costs) and the relevant job description. There was a consensus that this item would be placed on the October 7, 2019 voting agenda.

DISCUSS THE PURCHASE OF A VEHICLE FOR THE WHITE COUNTY SHERIFF'S OFFICE TO BE UTILIZED FOR CODE ENFORCEMENT.

The Sheriff presented a quote for a vehicle for the code enforcement position in his office. The cost of the 2019 Ram 1500 Classic Tradesman 4x4 crew cab was \$25,185.00 plus an additional \$5,000.00 for equipment – total \$30,185.00 to be funded from SPLOST. There was a consensus that this item would be placed on the October 7, 2019 voting agenda.

DISCUSS THE FY 2020 LEGACY LINK CONTRACT – ADDENDUM #1 RELATED TO SERVICES PROVIDED AT THE WHITE COUNTY SENIOR CENTER.

Ms. Barbara Overton, Director of Senior Services, presented Addendum #1 of the FY 20 Legacy Link contract related to services provided at the White County Senior Center. She summarized that the revision would allow an additional 200 home delivered meals to be provided and the county's non-match funding to be reduced by \$3,437.00 with addendum #1; however she has received notice of addendum #2 which will reduce the savings to the County. Chairman Turner asked that both addendums be placed on the October 7, 2019 voting agenda. Ms. Overton highlighted that the White County Senior Center serves 25,200 home delivered meals per year and over 13,000 congregate meals per year. The Board expressed their appreciation for the work done by the staff and volunteers at the senior center.

DISCUSS THE PROPOSED PURCHASE OF TWO (2) VEHICLES FOR THE DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT.

Mr. John Sell presented a request to replace two (2) vehicles – a 1998 Ford Ranger 4x4 and a 2008 Ford Explorer 4x4 with a 2019 Ford Ranger 4x4 and a 2020 Ford Explorer 4x4. The cost of the Ranger was presented as \$25,410.00 and the cost of the Explorer was presented as \$29,909.00. Mr. Sell detailed the age, mileage, wear & tear, body / mechanical issues of both vehicles presently in use. He stated that the first priority would be to replace the Explorer. There was a consensus that this item would be placed on the October 7, 2019 voting agenda.

DISCUSS RESPONSES RECEIVED FOR THE REQUEST FOR PROPOSAL FOR A STAND-BY DISASTER DEBRIS REMOVAL CONTRACT.

Mr. David Murphy, Director of Public Safety, presented the eight (8) responses received and the scoring of those responses. He stated the recommendation was to designate a primary stand-by contractor and a secondary stand-by contractor. He noted that the contract would be activated by a presidentially declared disaster or other action as deemed necessary by the Board – in the event that county personnel could not manage the debris clean-up. The recommendation for the primary stand-by contractor was Southern Disaster Recovery and the recommendation for the secondary stand-by contractor was Ceres Environmental Services. There was a consensus that this item would be placed on the October 7, 2019 voting agenda.

DISCUSS ACCEPTANCE OF THE SAFER (STAFFING FOR ADEQUATE FIRE & EMERGENCY RESPONSE) GRANT.

Mr. Murphy stated that White County had been awarded \$383,260.80 through the SAFER (Staffing for Adequate Fire & Emergency Response) Grant over a three (3) year period – with the county's fiscal responsibility being \$238,243.20 for the same three (3) year period. He explained this would fund four (4) full-time firefighter positions (beginning 01/02/2020) and the plan was to staff another station 24/7. There was a consensus that this item would be placed on the October 7, 2019 voting agenda.

DISCUSS POTENTIAL ROAD PROJECTS FOR THE 2020 LMIG (LOCAL MAINTENANCE & IMPROVEMENT GRANT) THROUGH THE GEORGIA DOT (DEPARTMENT OF TRANSPORTATION).

Mr. Dave Cangemi, Director of Public Works, presented the following options for the 2020 LMIG Projects:



2020 LMIG PROJECT OPTIONS

- 1) Post Rd. – Hwy. 75 S to Hwy. 254 – 4.9 mi
- 2) Post Rd. – Airport Rd. to Hwy. 254 – 2.8 mi
- 3) Hwy. 75 S – City to Hwy. 254 – 5.6 mi
- 4) Hwy. 75 S – City to Westmoreland Rd. – 3.2 mi
- 5) Westmoreland Rd. – Hwy. 129 to Hwy. 284 – 2.8 mi

POST RD. Option A and B

“A” – POST RD. 4.9 MI \$1,491,384 Total Project Cost
 \$461,758 LMIG from GDOT
 \$138,528 30% Match
 \$891,098 Additional SPLOST
 \$1,029,626 SPLOST Allocation

“B” – POST RD. 2.8 MI \$897,576 Total Project Cost
 \$461,758 LMIG from GDOT
 \$138,528 30% Match
 \$297,290 Additional SPLOST
 \$435,818 SPLOST Allocation

OLD HWY 75S Option A and B

“A” – Hwy. 75S: 5.55 MI \$1,876,799 Total Project Cost
 \$461,758 LMIG from GDOT
 \$138,528 30% Match
 \$1,276,513 Additional SPLOST
\$1,415,041 SPLOST Allocation

“B” – Hwy. 75S: 3.323 MI \$1,201,210 Total Project Cost
 \$461,758 LMIG from GDOT
 \$138,528 30% Match
 \$600,924 Additional SPLOST
\$739,452 SPLOST Allocation

WESTMORELAND RD.

Westmoreland Rd. – 2.809 MI \$1,007,508 Total Project Cost
 \$461,758 LMIG from GDOT
 \$138,528 30% Match
 \$407,222 Additional SPLOST
\$545,750 SPLOST Allocation

SPLOST 2020 Summary

	Total Cost	SPLOST Allocation
• Post Rd. (Option A)	\$1,491,384	\$1,029,626
• Post Rd. (Option B)	\$897,576	\$435,818
• Old Hwy. 75 S. (Option A)	\$1,876,799	\$1,415,041
• Old Hwy. 75 S. (Option B)	\$1,201,210	\$739,452
• Westmoreland Rd.	\$1,007,508	\$545,750

Following discussions there was a consensus that the approval of resurfacing Westmoreland Road (Hwy 129 to Hwy 284) for the 2020 LMIG Project would be included as a voting item on the October 7, 2019 meeting agenda – with Mr. Kevin Hamby, SPLOST Manager, reviewing the

outlook for 2020 and providing his input. Mr. Cangemi also provided a status update on current paving projects previously awarded to Stratton on Caldwell Construction – to be completed during the month of October. Current paving projects include: Sam Craven Road, Asa Dorsey Road, Old Blue Creek Road, FM Road, Shephard Drive, Fire Station #6 Parking Area, Yonah Preserve Driveway & Parking Area, and Joe Franklin Road (on hold for paving).

DISCUSS PROPOSALS RECEIVED FOR THE SECURITY CAMERA SYSTEM INSTALLATION PROJECT AT YONAH PRESERVE.

Mr. Robert Hamrick, Director of Information Technology, presented the five (5) responses received to the request for proposals for the security camera project and the associated scoring. He stated that his recommendation was to award to Ansley Communications in the amount of \$88,034.23 – although their scoring was lowest due to the administrative information not being included in their response. He stated that the storage available was approximately 30 days, the footage would be streamed via internet, and he would ask about the audio options. This project would provide security camera coverage for both the Asbestos Road Park and Yonah Preserve Ballfield Complex. There was a consensus that this item would be placed on the October 7, 2019 voting agenda.

DISCUSS PROPOSED REVISIONS TO CHAPTER 30, ENVIRONMENT, ARTICLE VIII, STANDARDS AND REGULATIONS FOR THE PROTECTION OF MOUNTAINS AND HILLSIDES OF THE OFFICIAL CODE OF WHITE COUNTY.

Ms. Mary Jane Henneke presented proposed revisions to the Mountain & Hillside Protection Ordinance related to fines and penalties for tree cutting activities. She informed the Board of the limitations placed on fines associated with county ordinance violations and limitations of ordering replanting if the case entered Magistrate Court. The application fee for tree cutting activities that do not require a building or land disturbance permit would be \$100.00. She noted that developers would fall under a different fine structure on a per lot basis and could be elevated to federal statutes that would apply much greater penalties. There was discussion regarding the method used to measure the tree size – the conclusion was to use the diameter of the stump (if the tree had been cut) in calculating the penalties. There was a consensus that this item would be placed on the October 7, 2019 voting agenda. Chairman Turner encouraged the public to contact legislators to urge them to pass legislation that would provide the counties with greater authority in issuing penalties / fines for ordinance violations such as Mountain and Hillside Protection. He also stressed that there were no changes made to the criteria (slope, elevation, etc.) within the ordinance

DISCUSS ACCG'S (ASSOCIATION COUNTY COMMISSIONERS OF GEORGIA) 2020 PROPOSED POLICY AGENDA TO BE CONSIDERED AT THE UPCOMING LEGISLATIVE LEADERSHIP CONFERENCE.

The policy agenda was reviewed – the Board identified the top three (3) legislative priorities as requiring online platforms to collect sales tax (also applied to short term rental site collecting lodging tax), state funding for bridge improvement & replacement, and reform taxpayer bill of rights notification process.

September 30, 2019 Work Session Minutes (continued)

Commissioner Goodger asked that the Board to consider providing a letter of support in principle only (for planning purposes) to the City of Cleveland – stating that the Board of Commissioners would support relocating the White County Library to the City Hall Complex in the future. He stated the estimated cost would be \$2.4 million with \$1.4 million to be state funded and the county providing \$1.0 million in SPLOST funds. Commissioner Goodger said the Friends of the Library were interested in raising funds for the furniture and fixtures needed. There was a consensus that this item would be placed on the October 7, 2019 voting agenda.

The October 7, 2019 Regular Meeting agenda was reviewed and approved.

The minutes of the September 30, 2019 Work Session were approved as stated.

October 7, 2019

s/Shanda Murphy

Shanda Murphy, County Clerk