

**WHITE COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF THE REGULAR MEETING HELD**

**MONDAY, JUNE 14, 2010 AT 4:30 P.M.**

The White County Board of Commissioners held a Regular Meeting on Monday, June 14, 2010 at 4:30 P.M. in the Grand Jury Room of the White County Courthouse. Present at the meeting were: Chairman Travis Turner, Post 1 Commissioner Joe Campbell, Post 2 Commissioner Craig Bryant, County Manager Carol Jackson, Interim Finance Director Vicki Mays, and County Clerk Shanda Smallwood.

Chairman Turner called the meeting to order.

Following the pledge of allegiance, Pastor Jeff Groves of the Bridge Church presented the invocation.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Campbell there was a unanimous motion to adopt the minutes of the Regular Meeting held May 3, 2010, the Called Meeting held May 13, 2010, the Called Meeting held May 19, 2010, the Called Meeting held May 26, 2010, and the unsealing of minutes regarding land acquisition from the meeting held March 9, 2010 and March 29, 2010.

The White County Board of Commissioners presented a certificate of recognition to Ms. Maria Flynn with Cleveland Better Home Town in honor of Mr. Kevin Wren of Hard Rock Pavers for his volunteer work in coordination with Cleveland Better Home Town on the Military Monument Revitalization Project.

David Murphy, White County EMA Director, presented the White County Wildfire Mitigation Protection Plan which was developed by the Georgia Forestry Commission in conjunction with a state wide wildfire mitigation grant. Sean Alexander, with the Georgia Forestry Commission, explained this plan was an in depth comprehensive evaluation of wildfire risks within the community. The plan being presented includes the evaluations, ratings, and action points determined by the evaluation.

Chairman Turner stated he would like for this item to be tabled in order for the Board of Commissioners to have an opportunity to further review the document.

Shirley McDonald, representing Woodmen of the World, presented everyone with an American Flag in honor of Flag Day.

Chairman Turner presented a quit claim deed submitted to the County by the City of Cleveland for the White County Industrial Park force main. He explained this document was originally executed by White County in April 2009 – with a one year limitation on the deed. Chairman Turner stated the City of Cleveland had obtain signatures on the other quit claim deeds in the title chain within the past few weeks and needed White County to execute a revised quit claim

deed. He further stated the County had no interest or ownership of the force main and asked for a motion regarding the approval.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Campbell there was a unanimous vote to approve the quit claim deed (revised from April 2009) submitted by the City of Cleveland for the White County Industrial Park Force Main.

Chairman Turner asked the Commissioners if they had reviewed the contracts with the Georgia Mountains YMCA – both the Operating Agreement for management for programs and activities and the Management Agreement for management of the properties and facilities.

Upon a motion made by Commissioner Campbell, seconded by Commissioner Bryant there was a unanimous vote to approve the YMCA Operating Agreement and Management Agreement as presented for the 2011 Fiscal Year.

The Board of Commissioners commended the work of the YMCA at the White County Recreational Facilities.

The Board of Commissioners reviewed the revised floor plan for the White County Senior Center Expansion Project as provided by Architect George Hlavenka. Chairman Turner stated this plan illustrated a 2,059 square foot addition which was in line with the project budget, as opposed to the 5,000 square foot additional which was previously submitted to the Board of Commissioners. Mr. Hlavenka stated he had not reviewed the revised plan with Bonnie York, Senior Center Director.

The Board of Commissioners agreed the approval of the plans for the White County Senior Center Expansion Project should be tabled until these had been reviewed with Ms. York.

Upon a motion made by Commissioner Campbell, seconded by Commissioner Bryant there was a unanimous vote to award the bid for Field #7 lighting at the Asbestos Road Park to the low bidder – Freeman Electric – in the amount of \$11,159.49, with the funds for the project to be paid from the Park & Recreation Fundraising Account, which had been established for improvement projects.

David Murphy, EMA Director, presented the bids received on the outdoor warning siren project at the Asbestos Road Park. He indicated the low bidder was Mobile Communications of Hall at \$17,462.82 and that fifty-percent (50%) of the funding for the project – which included PA System Capabilities – would come from a federal grant.

Upon a motion made by Commissioner Campbell, seconded by Commissioner Bryant there was a unanimous vote to award the warning siren project at the Asbestos Road Park to Mobile Communications of Hall in the amount of \$17,462.82, contingent upon the fifty-percent (50%) grant funding and with the county portion of the project cost being funded through Hotel / Motel Tax Collections.

Upon a motion made by Commissioner Campbell, seconded by Commissioner Bryant there was a unanimous vote to award the bid for triple surface treatment of 2.72 miles on three (3) county roads – Gerrells Road, River Road, and Virgil Hunt Road to Carnes Construction in the amount of \$191,155.00 to be paid from the 2004 SPLOST Proceeds.

Rolann Smith, White County Road Department, presented the bids received for all labor, equipment, and materials for pavement preservation on portions of eighteen (18) county roads totaling 16.75 miles. Ms. Smith stated that due to the bid amounts on the entire project being higher than projected – the staff recommended modifying the project to remove portions five (5) of the eighteen (18) roads listed. This would include the removal of portions of Poplar Stump Road, Satterfield Road, Loudsville Church Road, Ginny’s Cove, and Buck Post Circle. Ms. Smith stated bids were submitted on a per road basis and this change would not affect the bid results outcome, however she emphasized that road construction project contracts are written in a manner that would allow final cost variation based on the road condition at the time of repair.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Campbell there was a unanimous vote to modify the pavement preservation project to include thirteen (13) county roads and award the bid to the low bidder, CW Matthews Construction, in the amount of \$345,673.29 with funding to be paid from the 2004 SPLOST.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Campbell there was a unanimous vote to appoint R.K. Ackerman to the White County Planning Commission for a three (3) year term beginning July 1, 2010 (previously held by Larry Allen).

Upon a motion made by Commissioner Campbell, seconded by Commissioner Bryant there was a unanimous vote to appoint Ronnie London to the White County Planning Commission for a three (3) year term beginning July 1, 2010 (previously held by James Johnston).

David Murphy, EMA Director, requested acceptance of the CJCC (Criminal Justice Coordinating Council) Law Enforcement / Fire Services Grant, which would partially fund the narrowband radio upgrades which had been mandated by the Federal Government. He stated this was a fifty-percent (50%) grant – with \$20,000.00 being awarded by the CJCC and \$20,000.00 being funded through a local match reflected in the Fire Department and Sheriff’s Department budgets for FY 2011.

Upon a motion made Commissioner Campbell, seconded by Commissioner Bryant there was a unanimous vote to accept the CJCC Law Enforcement / Fire Services Grant for narrowband radio upgrades as presented.

Tom O’Bryant, Director of Community and Economic Development presented amendments to the revised Erosion Soil and Sedimentation Control Ordinance (County Ordinance Number 2010-11 adopted 05/03/2010) due to typographical errors in the original model ordinance provided by the State of Georgia.

Upon a motion made by Commissioner Campbell, seconded by Chairman Turner there was a vote to approve the following amendment amendments to the revised Erosion Soil and

Sedimentation Control Ordinance (County Ordinance Number 2010-11 adopted 05/03/2010) due to typographical errors in the original model ordinance provided by the State of Georgia. Commissioner Bryant voted in opposition to the ordinance and amendments.

**WHITE COUNTY BOARD OF COMMISSIONERS**

**ORDINANCE NO. 2010 – 11 (Amended)**

**A ORDINANCE TO AMEND COUNTY ORDINANCE NO. 2010-11,**  
**AS ADOPTED MAY 3, 2010**

**WHEREAS**, the White County Board of Commissioners wishes to revise the County Ordinance No. 2010-11 as adopted May 3, 2010 in order to correct the following typographical errors which is required prior to forwarding the Georgia Department of Natural Resources;

**NOW THEREFORE, BE IT RESOLVED** by the County Commissioners of White County, and it is hereby resolved by authority of the same, that the above referenced ordinance be revised as follows:

**SECTION 30-32. DEFINITIONS**

21. Land-Disturbing Activity: Any activity which may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands within the state, including, but not limited to, clearing, dredging, grading, excavating, transporting, and filling of land but not including agricultural practices as described in Section ~~452.04~~ **30-33**, Paragraph 5.

**SECTION 30-33. EXEMPTIONS**

6. Forestry land management practices, including harvesting; provided, however, that when such exempt forestry practices cause or result in land-disturbing or other activities otherwise prohibited in a buffer, as established in paragraphs (15) and (16) of Section ~~452.05~~ **30-34.C**, of this ordinance, no other land-disturbing activities, except for normal forest management practices, shall be allowed on the entire property upon which the forestry practices were conducted for a period of three years after completion of such forestry practices;

**ADOPTED**, this 14<sup>th</sup> day of June, 2010.

**WHITE COUNTY BOARD OF COMMISSIONERS**

By:

s/Travis C. Turner  
Travis C. Turner, Chairman

s/Joe R. Campbell  
Joe R. Campbell, Post 1

s/Craig Bryant

ATTEST:

s/Shanda Smallwood  
Shanda Smallwood, County Clerk

Craig Bryant, Post 2

Captain Jim Couch stated that Sheriff Neal Walden has requested that the three (3) vehicles listed on the surplus resolution of auction be surplus for trade on the previously approved purchase of vehicles for the White County Sheriff's Office.

Upon a motion made by Commissioner Campbell, seconded by Commissioner Bryant there was a unanimous vote to approve a surplus for trade resolution (County Resolution Number 2010-13) for the following vehicles:

1997 CROWN VIC VIN 2FAFP71W62X10942  
1998 CROWN VIC VIN 2FALP71W2VX104749  
2002 CROWN VIC VIN 2FAFP71W3XX115596

Ringo McCollum, Chief Building Official, presented a request on behalf of the Alcohol Beverage Commission (ABC) Board and the Sautee-Nacoochee Community Association that the current fees for a temporary special events permit under the White County Alcohol Ordinance be reviewed. The Sautee-Nacoochee Community Association (SNCA) requested the Board of Commissioners consider a one time per calendar year application fee of \$150.00 and a \$50.00 per event fee – up to the maximum of six (6) events per year – as opposed to the current fee schedule of a \$150.00 application fee per event and a \$50.00 per event fee.

Upon a motion made by Commissioner Campbell, seconded by Commissioner Bryant there was a unanimous vote to revise the White County Alcohol License Fee Resolution as follows:

## **WHITE COUNTY BOARD OF COMMISSIONERS**

### **RESOLUTION NO. 2010- 14**

#### **A RESOLUTION**

**WHEREAS**, White County has adopted an Alcoholic Beverage Ordinance that has fees associated with certain licenses, permits, etc.;

**NOW THEREFORE**, the White County Board of Commissioners hereby adopts the following amended fee schedule pertaining to the Alcoholic Beverage Ordinance:

**“Annual License For:**

❖ **Farm Wineries:**

**Primary Farm Winery Site - \$1,500.00**

**Plus:**

**To Sell Beer, Malt Beverage Or Wine  
In Unbroken Packages On The Farm  
Winery Premises At Retail And Not**

	<b>For Resale</b>	<b>1.00</b>
	<b><u>Plus:</u></b>	
	<b>To Sell At Retail Beer, Malt Beverage Or Wine For Consumption On The Farm Winery Premises To Consumers</b>	<b>1.00</b>
	<b><u>Plus:</u></b>	
	<b>Each Additional Tasting Room Location On The Primary Farm Winery Premises</b>	<b>100.00</b>
	<b><u>Plus:</u></b>	
	<b>Each Additional Tasting Room Owned or Leased By The Licensed Entity And Which Is Located Off The Primary Farm Winery Premises</b>	<b>750.00</b>
❖	<b>Retail Package Dealer:</b>	<b>800.00</b>
❖	<b>Retail Consumption Dealer:</b>	<b>1,200.00</b>
❖	<b>Wholesale Dealer:</b>	<b>800.00</b>
❖	<b>Application Fee:</b>	
	<b>For Each License Applied For:</b>	<b>150.00</b>
	<b><u>Plus :</u></b>	
	<b>Fingerprinting Fees Of: To Be Paid To The White County Business Tax Office or other designated County Office For Each Required Applicant, Owner, Partner, Etc.</b>	<b>50.00</b>
❖	<b>Temporary Special Use Permit (Per Event)</b> <i>An application must be submitted for each event, however the \$150.00 application fee applies only to the organization's first event of the calendar year with the ordinance limiting to six (6) events per organization per calendar year</i>	<b>50.00</b>
❖	<b>Change of Managing Agent</b>	<b>100.00</b>

❖	<b>Change of Registered Agent</b>	<b>25.00</b>
❖	<b>Variance Review Fee</b>	<b>100.00</b>
❖	<b>Appeal</b>	<b>100.00”</b>

**ADOPTED**, this 14th day of June, 2010.

s/Travis C. Turner  
Travis C. Turner, Chairman

s/Joe Campbell  
Joe Campbell, Post 1 Commissioner

s/Craig Bryant  
Craig Bryant, Post 2 Commissioner

ATTEST:  
s/Shanda Smallwood  
Shanda Smallwood, County Clerk

Upon a motion made by Commissioner Campbell, seconded by Commissioner Bryant there was a unanimous vote to accept the London Land Surveying’s proposal for Asbuilt / Topographical survey of the Hulsey Road Detention Center Expansion Site and the Senior Center Expansion Site with the scope of work to include Boundary-Topo-Asbuilt surveys (County Shop, Neighborhood Healthcare, Allen Mauney Building, Senior Center & Existing Jail Site) with a cost not to exceed \$12,000.00 and funds to be paid from the Jail Project Account.

Upon a motion made by Commissioner Campbell, seconded by Commissioner Bryant there was a unanimous vote to authorize the Chairman to execute the following annual agency contribution contracts:

- Alpine Helen–White County Convention Visitors Bureau Contract
- Avita Community Partners Contract
- Casa, Inc. Contract
- Chamber Of Commerce Contract
- Cleveland Better Home Town, Inc. Contract
- Department Of Family And Children Services Contract
- Extension Office Contract
- Family Connections Contract
- Health Department Contribution Contract
- Historical Society Contract

June 14, 2010 – Regular Meeting & Public Hearing Minutes

- Library Board Contract
- Enotah Anti-Drug Coalition Contract
- Sautee Nacoochee Community Association Contract

Vicki Mays, Interim Finance Director, presented the monthly financial report through April 2010. (See the Following Report as Attached)

With there being no comments during citizen participation and following announcements – the Regular Meeting was adjourned and the Public Hearing on the proposed budgets for White County for the fiscal year beginning July 1, 2010 was called to order.

Ms. Carol Jackson, County Manager, presented a general fund budget balanced at \$13,513,319.00 and other funds balanced at \$5,016,683.02 – for a total balanced budget of \$18,530,002.02. This budget reflected an increase in the General Fund from the FY 2010 amended budget of (\$13,388,363.00) \$124,956.00 or .93 %. (See Meeting File For a Complete Copy of the Proposed Budget As Presented) Ms. Jackson stated the slight increase was a result of reinstating the County contribution for Employee Retirement and insurance increases, however many departments also experienced decreases within their respective budgets. Ms. Jackson explained that the increase in other funds was a result of the contingency fund being set up for the Fire Fund and the debt service on the jail bonds funded by SPLOST having to be shown in the FY 2011 budget.

Chris Nonnemaker asked for clarification on the budget item listed in the Hotel Motel Tax Fund as “Transfer to Project Development”. Tom O’Bryant explained that when the Board of Commissioners voted to adopt the increase in Lodging Tax from 5% to 8%, the state law required that one-half of the increase in tax do to the designated marketing organization which it the Helen-White County Convention and Visitors Bureau and one-half of the increase be utilized by the County for tourism product development projects as specified in a resolution adopted by the Board of Commissioners.

Chris Nonnemaker asked for clarification on the revenue transfer from the general fund to the jail fund of \$60,300.00.

Chairman Turner expressed the Board of Commissioners desire to hold the millage the same for the 2010 tax year as they awaited the results of the tax digest from the Assessors Office.

Kathy Blandin, Executive Director of the Sautee Nacoochee Association, asked that the Board of Commissioners reconsider the Association’s original budget request of \$8,150.00 which was funded at \$5,000.00 in the budget being presented in light of the increase in Hotel Motel Tax Collections.

Chairman Turner stated the Board of Commissioners would make this reconsideration. He asked that Tom O’Bryant, Director of Community and Economic Development, met with Carol Jackson and determine how the Lodging Tax Funds could be utilized in order to provide additional funding to the Sautee Nacoochee Community Association and the Historical Society.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Campbell there was a unanimous vote to enter into Executive Session at 6:00 p.m. in order to discuss litigation and personnel issues.

-See the Closed Meeting Affidavit-

Upon a motion made by Commissioner Bryant, seconded by Commissioner Campbell there was a unanimous vote to exit Executive Session.

Upon a motion made by Commissioner Campbell, seconded by Commissioner Bryant there was a unanimous vote to adjourn.

The minutes of the June 14, 2010 Regular Meeting and Public Hearing are hereby approved as stated this the 2<sup>nd</sup> day of August, 2010.

WHITE COUNTY BOARD OF COMMISSIONERS

s/Travis C. Turner  
Travis C. Turner, Chairman

s/Joe R. Campbell  
Joe R. Campbell, Post 1

s/Craig Bryant  
Craig Bryant, Post 2

s/Shanda Smallwood  
Shanda Smallwood, County Clerk