

## **WHITE COUNTY BOARD OF COMMISSIONERS**

### **MINUTES FROM REGULAR MEETING HELD**

**THURSDAY, JULY 2, 2009 AT 9:00 A.M.**

The White County Board of Commissioners met on Thursday, July 2, 2009 in a regular meeting at 9:00 A.M. in the Board of Commissioners Office Conference Room in the White County Courthouse, Cleveland, Georgia. Present were: Chairman Travis C. Turner, Post 1 Commissioner Joe R. Campbell, Post 2 Commissioner Craig Bryant, County Manager Alton Brown, Chief Financial Officer Vickie Neikirk, and County Clerk Shanda Smallwood.

Chairman Turner called the meeting to order. After the pledge to the flag Pastor Jimmy Sargent from the Faith Outreach Church of Cleveland brought the invocation.

Upon a motion made by Commissioner Campbell, seconded by Commissioner Bryant the minutes of the Regular Meeting held June 1, 2009, the Called Meeting held June 16, 2009, the Executive Session (Sealed Minutes Regarding Land Acquisition) held June 16, 2009, the CDBG Public Hearing held June 17, 2009, the Called Meeting held June 22, 2009, the Public Hearing held June 22, 2009, the Public Hearing held June 29, 2009 and the Called Meeting held June 29, 2009 were unanimously approved.

Vicki Mays was recognized for her achievement in obtaining the designation of Level 2 Certified Finance Officer and was applauded for her dedication to increasing her knowledge of Finance and Payroll. Chairman Turner expressed his appreciation to the White County Finance Department for their work during the budget process and for all they do for White County Government.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Campbell the consent agenda was unanimously approved, containing the following items:

- Rejecting the bid submitted by Henrietta Sutton on behalf of the Hood / Campbell Street Community in the amount of \$5,000.00 for the purchase of the Oak Springs School Property – with consideration for the re-advertisement to be determined at a later date;
- Authorizing the Board of Commissioners certification and approval of the Ninth District Opportunity's 2009 Homelessness Prevention and Rapid Re-Housing Application based on review of the application's programs, activities, and sites names therein are within the Board's jurisdiction, meet all local planning requirements and the programs are approved for funding by DCA;
- Granting Final Road Acceptance for Towering Oaks Subdivision, including Towering Oaks Drive & Philly Drive as requested by Mr. Jim Patton;
- Approving the Judicial In REM Foreclosure Resolution as presented by Tax Commissioner Cindy Cannon – Resolution No. 2009-16 (see attached);
- Adopting a Resolution to amend the Personnel Management Policy to reflect Federal changes to the Family and Medical leave Act (FMLA) to include military family leave entitlements – Resolution No.2009-17 (see attached);
- Approving the Business Marketing Grant Application for Entrepreneur Friendly Implementation Funds;
- Adopting the Original Appalachian Artworks, Inc. Paving Contract for NOK Drive;
- Adopting a Joint Resolution between White County and the City of Cleveland pursuant to O.C.G.A. 36-36-79(c);
- Adopting a Resolution governing the donations of funds to non-profit charitable and non-profit civic organizations – Resolution No. 2009-18 (see attached);
- Approving the annual agreements, contracts, contributions, and memorandums of agreements as follows:

- a) Alpine Helen – White County Convention and Visitors Bureau Agreement
- b) AVITA Community Partners Agreement
- c) CASA, Inc. Memorandum of Agreement
- d) White County Chamber of Commerce Agreement
- e) Cleveland Better Home Town, Inc. Agreement
- f) Department of Family and Children’s Services Agreement
- g) Extension Office Memorandum of Agreement
- h) Family Connection Memorandum of Agreement
- i) Health Department Contribution Agreement
- j) Historical Society Agreement
- k) Library Board Agreement
- l) Enotah Anti-Drug Coalition Memorandum of Agreement
- m) Sautee Nacoochee Community Association Agreement

Chairman Turner stated the White County Board of Education had voted at their meeting on June 29, 2009 to call for a SPLOST vote in November 2009. He had spoken with the Board of Education Chairperson, Kendyl Brock-Hunter, about reducing the \$25,000 which the County pays to the Board of Education as a rental premium for the use of the school’s recreational facilities by the cost of the special election to be held for the Board of Education SPOST vote. Chairman Turner further stated the Board of Education has called for the vote and whether or not the Board of Commissioners agrees with the timing of this vote, if the cost of the election can be reimbursed to White County, he did not have a problem with moving forward in approving for the election to take place. Commissioner Campbell stated he agreed with Chairman Turner. Commissioner Bryant expressed his concern regarding the Board of Education borrowing money for a future project and for a SPLOST which will not begin collections until 2013 – resulting in borrowing enough to pay the loan amount until SPLOST collections are made. Chairman Turner stated he had the opportunity to tour the current White County Middle School a few weeks ago and he stated there were definitely some issues with the school building – therefore he was not questioning the need for a new Middle School. Commissioner Campbell emphasized his agreement that this was an excellent time to begin a construction project, with construction costs being at an all time low and he hoped the construction could be done by local people in order to stimulate our local economy.

Commissioner Bryant asked School Superintendent Dr. Paul Shaw for clarification as to whether the entire project would be funded by SPLOST or if this construction project would result in increased taxes for the citizens of White County. Dr. Shaw stated that although no one could predict the future, the current SPLOST collections are approximately \$230,000 per month – which was expected to increase by approximately \$40,000 with Wal-mart opening in July - these amounts were plenty to satisfy the \$150,000 per month amount needed to fund the project.

Upon a motion made by Commissioner Campbell, seconded by Commissioner Bryant the White County Board of Commissioners unanimously approved a November 2009 special election, based on the White County Board of Education’s decision to call for a SPLOST vote for the purpose of constructing a new middle school building – with the \$25,000 which White County pays to the Board of Education for rental premium for the use of the school’s recreational facilities to be reduced by the cost of the election.

Rolann Smith, Administrative Assistant with the White County Road Department, presented the two bids received for engineering services on the paving of NOK Drive – London Land Surveying issued a bid in the amount of \$8,500.00 and Eddie Davidson (Foothills Land Design) issued a bid in the amount of \$5,460.00. Ms Smith indicated the \$8,500.00 bid from London Land Surveying was a complete bid – however the \$5,460.00 from Eddie Davidson was open ended indicating that vehicle mileage, duplication fees, postage, deliveries, etc. would be reimbursed at cost plus 15% in addition to the bid of \$5,460.00.

Alton Brown indicated he would recommend approving the London Land Surveying contract since it was submitted in a straight forward format.

Upon a motion made by Commissioner Campbell, seconded by Commissioner Bryant the White County Board of Commissioners unanimously awarded the contract for engineering services on the paving of NOK Drive to London Land Surveying for the amount of \$8,500.00. Commissioner Campbell requested that the record show the bid from Eddie Davidson was rejected based on the ambiguity contained in the bid format.

Upon a motion made by Commissioner Campbell, seconded by Commissioner Bryant the vote to hold the first reading on the text amendment for the ordinance governing the location of facilities engaging in the land application of human waste at a called meeting prior to the July 27, 2009 work session, with the public hearing and second reading being held in conjunction with the regular meeting scheduled for August 3, 2009 was unanimously approved.

Upon a motion made by Commissioner Campbell, seconded by Commissioner Bryant a vote to finalize the 2009-2010 millage rate on July 27, 2009 in conjunction with the scheduled called meeting and work session was unanimously approved.

During the Public Comment portion of the meeting, White County Fire Chief Dickie Howard, clarified to the Board of Commissioners that the \$100,000 - which was approved at the June 29, 2009 Called Meeting to be designated for cost over runs in association with the American Recovery & Reinvestment Act Grant Application for the Asbestos Road Fire Station – could not be strictly designated for cost over runs, however if these funds were included in the grant application the county would be committed to the expenditure on the project.

The Commissioners unanimously indicated they were still in favor of dedicating the \$100,000 to the project.

Alton Brown informed the Board of Commissioners that the FAA (Federal Aviation Administration) had issued a cease and desist order to Scenic Helicopter Tours on Wednesday, July 1, 2009 based on the operator not obtaining the appropriate permits from the FAA.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Campbell there was a unanimous vote to enter into an executive session for the purpose of discussing potential land acquisition.

Following the Executive Session and upon a motion made by Commissioner Bryant, seconded by Commissioner Campbell a unanimous vote to adjourn the regular meeting was made.

Minutes of the July 2, 2009 Regular Meeting are hereby approved as stated this the 3rd day of August 2009.

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