

WHITE COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE WORK SESSION & CALLED MEETING HELD

MONDAY, JULY 25, 2016 AT 4:30 P.M.

The White County Board of Commissioners held a Work Session and Called Meeting on Monday, July 25, 2016 at 4:30 p.m. in the Board Room at the White County Administration Building. Present at the meeting were: Chairman Travis Turner, Commissioner Terry D. Goodger, Commissioner Lyn Holcomb, Commissioner Edwin Nix, Commissioner Craig Bryant, County Manager Michael Melton, Finance Director Vicki Mays, and County Clerk Shanda Murphy.

The Board of Commissioners conducted a Public Hearing for Mr. Don Payne and Mr. Terry Kimbrell's application to redistrict the property (a total of 2.24 acres) at 35 Stoney Pointe Cleveland, GA from R1 (Residential Single Family) to C2 (Highway Business District).

Mr. Tom O'Bryant, Director of Community & Economic Development, presented the redistrict application to the Board. Mr. O'Bryant stated the application was submitted on June 1, 2016. The subject property is currently classified as residential and the applicants are requesting a change in the classification to C-2 (Highway Business) in order to construct a building for their wrecker service to be based from. Mr. O'Bryant stated that the surrounding properties are classified as either residential or agriculture. He indicated that a small portion of the property (less than 1/10 of an acre) is located in the city limits of Cleveland and the property is only accessible by city streets – Campbell Street, Hood Street, and Helton Road. The Planning Commission conducted a public hearing on the application on June 27, 2016 and has sent a favorable (by vote of 5-1) recommendation for this reclassification to be approved by the Board of Commissioners contingent upon the property not being used for a junk yard. Chairman Turner asked for Mr. O'Bryant to review the characteristic of a Highway Business District classification. Mr. O'Bryant stated that properties within this classification would rely heavily on highway traffic; however this property did not have any highway access other than via city streets.

Chairman Turner opened the floor for comments in support of the reclassification.

Mr. Don Payne, 289 Garrison Drive Cleveland, GA – Mr. Payne (applicant) stated they had cleaned the property up and they wanted to construct a building where they could work on their wrecker service trucks. He stated there would be a chain link fence along the back which would be for damaged or impounded cars to be kept. Mr. Payne stated this would not be a junk yard. He stated that the City of Cleveland required an impound lot in the city limits in order for their wrecker service to impound vehicles for the city. Mr. Payne indicated that the majority of the access would be from Campbell Street to Hwy 115. Chairman Turner stated that he was concerned about the narrowness of Hood Street and the large trucks traveling that street.

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Chairman Turner asked for a show of hands as to how many in attendance were in opposition to the reclassification requested. Approximately 20 attendees raised their hand indicating they were in opposition of the requested reclassification.

Chairman Turner opened the floor for comments in opposition of the reclassification.

Ms. Susan Hudson, 85 Stoney Creek Drive Cleveland, GA: Ms. Hudson stated she is a resident of the neighborhood where this property is located. She stated that over 100 signatures had been collected on petitions in opposition of this reclassification as the property was in an obviously residential area. She stated the streets that would be used as access were posted with “No Trucks” signs. She spoke of the residential characteristics of the surrounding residential area. She asked why a commercial classification would be allowed in a residential area that does not have highway access. She referenced the characteristics of a C-2 classification from the county code. Ms. Hudson stated that the proposed business would degrade the residential neighborhood and cause additional wear and tear on the streets not designed for commercial traffic; although it would not have the same effect on a commercial area. She indicated that in making a recent decision to purchase her residence in this area she researched the classification of properties surrounding her and she would not have made the purchase if she had known this type of business would be allowed; however at the time of purchase this was not a concern since all the properties were classified as residential. She spoke of the African American population in the affected area and commented that at the previous public hearing, derogatory terms were used by non-residents that were offensive about the surrounding area’s residents. Ms. Hudson stated that the proposed business would detract from the view along the Appalachian Parkway. She asked that the Board consider what was best for the residential community and the majority – reflected by the 100+ signatures submitted by petition.

Ms. April Richardson, resident at the corner of Helton and Hood Streets: Ms. Richardson expressed her concerns that the proposed business would bring increased traffic with big trucks to the narrow residential, city streets.

Ms. Gloria Sutton, Ebony Lane Cleveland, GA: Ms. Sutton stated that it was obvious that the streets were not sufficient for the type of traffic that would be a result of the wrecker service / impound lot business and she did not think this type of reclassification would ever be considered in another neighborhood. She referenced the current area with boat storage and stated that the number of boats had increased since the purchase of the property by the applicants.

Ms. Annie Sutton, 180 Hood Street Cleveland, GA: Ms. Sutton read a statement that included the applicant’s letter of intent did not mention anything about an impound lot; therefore the Planning Commission should not have considered this as a proposed use. She noted that an affidavit was mentioned that there would not be a “junkyard”; however she wanted to know how that would be enforced or determined and if the County allowed junkyards as an option in their ordinance. Ms. Sutton stated that the reclassification would not fit in to the county’s adopted comprehensive plan for that area- which was for the area to include residential and agricultural uses. She said that the City of Cleveland would still not use the business for an impound lot even if the reclassification was approved because the property is not located within the city limits and would require annexation and a C-2 classification would not fit into the city’s future land use plan. She

spoke about the access required by the County's ordinance for a C-2 classification and stated that there is no highway access - although the Appalachian Parkway can be seen from the property there is no access, the only access is through the narrow city streets. City residents are required to use city sanitation services in order to keep numerous large trucks off city streets because the streets are not designed for the traffic of these heavy vehicles like wreckers and rollbacks. Ms. Sutton read the Planning Department's Staff recommendation - indicating that staff had recommended that based on the ordinance the reclassification not be approved because the C-2 use is not compatible with the surrounding uses of residential and agriculture and there was no highway access - only access through city streets.

Mr. Brian Sutton, Pastor of St. John Missionary Baptist Church and resident of 25 Maggie Lane: Mr. Sutton stated that he agreed with the statements of opposition which had already been made and the issue at hand was not about color - rather the issue is about doing what is right for the community. He asked that the Board of Commissioners consider that the Cleveland City Council is against the reclassification and the negative impact this would have on the surrounding community.

Ms. Carol Veal, resident of Hood Street for 58 years: Ms. Veal voiced her opposition to the reclassification.

Ms. Annie Sutton did note that the boat yard was a city issue that the city would be addressing.

Chairman Turner asked if the applicants (Payne / Kimbrell) would be requesting annexation to the City of Cleveland. The applicants responded "no".

Mr. Kimbrell stated that twelve (12) trees had already been planted, about two (2) months ago along their property line for screening.

Chairman Turner asked that staff contact the City of Cleveland in order to see if the City had any plans to annex additional property into the city limits in order for the Appalachian Parkway to become a natural city limit boundary and if the City of Cleveland would be enforcing the no thru truck signs along Hood and Campbell Streets.

Mr. Brian Sutton stated the he was concerned about the purchase of the property followed by the request to change the classification as opposed to the applicants locating property which was already classified according to their proposed use.

The public hearing was closed at 5:30 p.m. Chairman Turner noted that the application for reclassification would be considered for action of the Board of Commissioners on Monday, August 8, 2016 at 4:30 p.m.

Sheriff Neal Walden presented a request to the Board of Commissioners for SPLOST funding in the amount of \$124,095.00 for the purchase of 24 tasers, 20 semi-automatic rifles, ammo, and two (2) vehicles. He noted that the vehicles and tasers were included in his FY 2017 budget request; however these items were removed and placed on consideration for SPLOST funding.

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Commissioner Goodger inquired regarding training, qualifications, and the procedure for use of the rifles.

Following discussion there was a consensus that the purchase would be approved in phases with the tasers and guns to be approved for purchase at this time in the amount of \$53,322.26 – with this item to be placed on the August 8, 2016 consent agenda – and the vehicles to be to reconsidered for purchase in two (2) months in the amount of \$70,772.54.

Sheriff Neal Walden discussed needed renovations for security improvements to the entrance of the White County Courthouse. A sketch option drafted by Charles Black Construction was presented. There was a consensus that this item would be tabled for future discussion.

Mr. David Murphy, Director of Public Safety, presented an Agreement for Automatic Aid with Hall County Fire Services. He discussed the mutual benefits to both counties in providing needed fire coverage and stated that this was the final of three (3) automatic aid agreements which the county had been pursuing.

There was a consensus that this agreement would be placed on the August 8, 2016 Consent Agenda.

Mr. Dave Cangemi, Director of Public Works, presented bids received for lease-purchase of heavy equipment for the White County Road Department – with bids received from Border Equipment, Flint Equipment, and Yancey Equipment for a four (4) year lease-purchase agreement for two (2) motor- graders and a backhoe. He presented that with all things considered, after trade – the most favorable quote was from Yancey Brothers in the total amount of \$227,157.00 (purchase) or \$4,952.90 per month lease @ 2.25% interest (\$237,739.20) with an eight (8) week lead time. He stated that staff's recommendation was to award the bid to Yancey as the low bidder. Mr. Alan Brown of Flint Equipment presented information to the Board regarding his cost analysis. There was a consensus that this item would be discussed further at the August Work Session.

There was a consensus that approval of sponsorship funds from Hotel / Motel Tax in the amount of \$5,000.00 for the White County Chamber of Commerce's inaugural Georgia's Spirit of Appalachia Food, Wine, and Art Festival scheduled to be held on September 17, 2016 would be placed on the consent agenda at the August 8, 2016 Regular Meeting.

There was consensus that a bid package would be distributed for the construction of six (6) with an option of eight (8) pickle ball courts at the White County Recreation Department, with courts to be located between the outdoor basketball court and the pavilion and to be funded by Hotel / Motel Tourism Product Development Funds.

There was a consensus that the Board wanted to reinstitute the White County Recreation Advisory Board. Ms. Murphy was asked to advertise the opportunity to serve on this Board. There was a consensus that the Board of Commissioners wanted the Advisory Board to have five (5) members.

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The agenda for the August 8, 2016 Regular Meeting was reviewed.

Chairman Turner called the Called Meeting to order.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Holcomb there was a unanimous vote to approve the Memorandum of Understanding (MOU) for operation of the Appalachian Regional Drug Enforcement Office (ARDEO).

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Bryant there was a unanimous vote to approve the grant application for the Criminal Justice Coordinating Council funding in the amount of \$359,412.00 for the Appalachian Regional Drug Enforcement Office (ARDEO) with White County being the grant agent.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Nix there was a unanimous vote to approve a service agreement with Rec-1 for recreation management software.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Bryant there was a unanimous vote to approve an agreement for web services with Sturgis in the amount of \$13,000.00 (one-time) / \$7,200.00 (annual thereafter) for the White County Tax Commissioners Office website design – for replacement and upgrade of current software with the \$13,000.00 funding for FY 2017 to be taken from contingency.

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

The minutes of the July 25, 2016 Work Session and Called Meeting are hereby approved as stated this 8th day of August, 2016.

WHITE COUNTY BOARD OF COMMISSIONERS

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

s/Terry D. Goodger
Terry D. Goodger, District 1

s/Lyn Holcomb
Lyn Holcomb, District 2

s/Edwin Nix
Edwin Nix, District 3

s/Craig Bryant
Craig Bryant, District 4

s/Shanda Murphy
Shanda Murphy, County Clerk