WHITE COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE REGULAR MEETING HELD

MONDAY, NOVEMBER 7, 2016 AT 4:30 P.M.

The White County Board of Commissioners held a Regular Meeting on Monday, November 7, 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 Goodger, Commissioner Lyn Holcomb, Commissioner Edwin Nix, Commissioner Craig Bryant, County Manager Michael Melton, County Attorney Bill House, Finance Director Vicki Mays, and County Clerk Shanda Murphy.

Chairman Turner called the meeting to order.

Following the Pledge of Allegiance, Reverend Jim Holmes of Helen First Baptist Church provided the invocation.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Holcomb there was a unanimous vote to adopt the minutes of the Regular Meeting Held October 3, 2016, the Called Meeting held October 13, 2016, and the Work Session / Called Meeting (including sealed Executive Session Minutes) held October 24, 2016.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Nix there was a unanimous vote to approve the following Consent Agenda:

- Award of the bid for replacement of a retaining wall and concrete steps at The White County Chamber of Commerce Office to Precision Metal Building, Inc. in the amount of $23,000.00 to be paid from Hotel / Motel Tourism Product Development Funds – as well as rescinding the previous contract awarded to E&P General Contractors for the same project due to bidder requirements not being met;

- Award of the contract for insulating the Yonah Preserve Maintenance Shop to Simco Interiors, Inc. in the amount of $6,532.00 to be paid from General Fund;

- Adoption of a Resolution (County Resolution No. 2016-18) for Fiscal Year 2016 Budget Amendments for the Hotel / Motel Tax Accounts;

- Adoption of a Surplus Resolution (County Resolution No.2016-19) for a 1991 Ford F800 Diesel (formerly known as tanker 5) assigned to the White County Fire Department;

- Approval of Radio Communications System Improvements to be done by Motorola / Mobile Communications at state contract price in the amount of $45,180.00 – to be paid for with Restricted 911 Funds; and

- Approval of the purchase of a used Air-Light Truck for the White County Fire Department in the amount of $15,000.00 – to be paid for with budgeted fire department funds.

A Public Hearing was conducted in order to receive comments regarding proposed text amendments to the White County Land Use Ordinance related to provisions for Child Caring Institutions within the unincorporated area of White County. Copies of the proposed amendments were made available.

Mr. Tom O'Bryant, Director of Community & Economic Development, provided a summary of the proposed text amendments, stating the purpose was to amend the ordinance in order to allow child caring institutions that fall into the category established by the State of Georgia as "base watchful oversight" in Single Family Residential (R1) and Agriculture (A1) Districts. He reviewed that the definitions applied would allow up to twelve (12) children to be served by the child caring institution, including the host families' biological children – however more children could be served under a conditional use permit provision. Mr. O'Bryant emphasized that the State of Georgia regulates and oversees the child caring institutions and there are many requirements set forth for the facilities to meet.

Chairman Turner opened the floor for public comment related to the proposed amendments. He asked for any comments in support of the amendments and asked that Ms. Sarah Lulinski begin as she is the citizen who had specifically requested the proposed amendments be considered.

Ms. Sarah Lulinski spoke in support of the proposed amendments to the White County Land Use Ordinance in order to allow for child caring institutions providing base watchful oversight in Single Family Residential (R1) and Agriculture (A1). She stated that she and her husband planned to open a child caring institution in White County which would allow sibling groups in foster care to remain together as opposed to being separated into different foster families. Ms. Lulinski spoke about the important role of this type of facility in this area and the positive impact of keeping sibling groups together in the foster care system.

Ms. Gail Bender spoke in support of the proposed amendments. She shared her personal experience of adopting siblings and of the positive difference this makes in their lives during a very difficult time.

Chairman Turner asked that all those in favor of the proposed amendments signify their support by the raising of their hand. The majority of attendees raised their hand to show they were in attendance in order to show support for the proposed amendments.

Chairman Turner opened the floor for comments in opposition to the proposed amendments to the White County Land Use Ordinance in order to allow for child caring institutions providing base watchful oversight in Single Family Residential (R1) and Agriculture (A1).

Following two (2) additional requests for any comments in opposition to the proposed amendments and with no comments being submitted in opposition the floor was closed.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Holcomb there was a unanimous vote to approve the following amendments to the White County Land Use Ordinance in order to allow for child caring institutions providing base watchful oversight in Single Family Residential (R1) and Agriculture (A1):

WHITE COUNTY BOARD OF COMMISSIONERS

RESOLUTION NO. 2016-20

A RESOLUTION

WHEREAS, The White County Board of Commissioners adopted the White County Land Use Ordinance on March 30, 2015, by Resolution No. 2015-02;

AND WHEREAS, The White County Board of Commissioners have the authority to amend the White County Land Use Ordinance according to procedures outlined within O.C.G.A. § 36-66-1 et seq.;

AND WHEREAS, The White County Board of Commissioners now wishes to amend the Ordinance as follows;

NOW, THEREFORE, it is hereby **RESOLVED** that the White County Land Use Ordinance be amended as set out below to be effective upon passage of this resolution:

A. New Definition

Article XXII, Definition of Terms

Child Caring Institution: A child welfare agency that is any institution, society, agency, or facility, whether incorporated or not, which either primarily or incidentally provides full-time care for children through 18 years of age outside of their own homes. This full-time care is referred to as room, board and watchful oversite. For these purposes a child caring institution means any institution, society, agency or facility that provides care to six or more children and licensed by the State of Georgia.

B. Amended Definition

Article XXII, Definition of Terms

Family: An individual, or two or more persons related by blood, marriage, adoption or guardianship, or a group of not more than four unrelated persons, occupying a single dwelling unit and using the same cooking facilities. For purposes of this ordinance, family may include ~~five or fewer~~ foster children placed in a family foster home licensed by the State of Georgia, but shall not include fraternities, sororities, rooming houses or boarding houses, nursing home or rest homes.

C. New Permitted Uses

Article IX, Agricultural Forestry District, A-1, Section 901, Permitted Uses
Child Caring Institutions that provide Traditional Care or BASE Care – Base Watchful Oversite (BWO) in a home-like setting, and are licensed by the State of Georgia for providing such services. This setting shall be limited to a group care capacity of no more than twelve (12) children, including the biological or adopted children of any host family serving the child caring institution.

Article X, Residential Single Family District, R-1, Section 1001, Permitted Uses
Child Caring Institutions that provide Traditional Care or BASE Care – Base Watchful Oversite (BWO) in a home-like setting, and are licensed by the State of Georgia for providing such services. This setting shall be limited to a group care capacity of no more than twelve (12) children, including the biological or adopted children of any host family serving the child caring institution.

D. New Conditional Uses

Article IX, Agricultural Forestry District, A-1, Section 902 Conditional Uses
Child Caring Institutions providing other types of residential care and room, board and watchful oversight.

Article X, Residential Single Family District, R-1, Section 1002, Conditional Uses
Child Caring Institutions providing other types of residential care and room, board and watchful oversight.

RESOLVED, this 7th day of November, 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

Attest: s/Shanda Murphy
Shanda Murphy, County Clerk

Upon a motion made by Commissioner Nix, seconded by Commissioner Goodger there was a unanimous vote to approve the application filed by Daunch & Hirschi Properties, LLC to redistrict property located at 10 Lawson Road Cleveland, GA (Tax Parcel #050-010) From R-1 (Single Family Residential) To C-2 (Commercial Highway Business District).

Chairman Turner acknowledged that no one was in attendance to represent Daunch & Hirschi and that in future applications would not be acted upon if the applicant was not present.

Upon a motion made by Commissioner Nix, seconded by Commissioner Bryant there was a unanimous vote to make the following appointments to the Parks and Recreation Advisory Board for a three (3) year term ending December 31, 2019:
Alan Griffin, White County High School Athletic Director & Principal
Octavius Mulligan, Tesnatee Gap Elementary School Principal
Trey Crumley – Chairman's Appointee
Paul Brown – District 1 Appointee
Candice Grizzle – District 2 Appointee
Marshall Anderson – District 3 Appointee
Mitch Bardenwerper – District 4 Appointee

Mr. Joe Gailey, Director of Recreation stated that the contract for concessionaire had been put out for bid twice and that only one bid was received – from Complete Comfort (Dennis Wiley). He presented the bid received.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Nix there was a unanimous vote to award the contract for White County Parks and Recreation Concessionaire to Complete Comfort at 5% commissions on gross sales to be paid to White County through September 1, 2017.

Mr. Melton presented the updated White County Speed Zone Ordinance provided by the Georgia Department of Transportation (GDOT). He indicated that Sheriff Neal Walden had reviewed and approved of the ordinance. There was a consensus that the Board of Commissioners is concerned about the speed limit along the Appalachian Parkway being 55 mph even at the intersections with traffic signals. They discussed the high volume of accidents that have occurred in this area recently. Commissioner Nix stated that he had already forwarded some data to the District Engineer Brent Cook regarding accident rates.

Upon a motion made by Commissioner Nix, seconded by Commissioner Bryant there was a unanimous vote to approve the White County Speed Zone Ordinance, which would allow the White County Sheriff's Office to utilize radar along the parkway, along with authorization for Mr. Melton to draft a letter from the Board to GDOT Officials and State Legislators regarding the concerns related to the 55 mph speed limit at the two (2) traffic lights on the southern section of phase 1 of the bypass.

Ms. Vicki Mays, Finance Director, presented the Monthly Financial Status Report (see attached).

Mr. Melton presented the Board with a Grant Administration Agreement with the Georgia Mountains Regional Commission (GMRC) in the amount of $500.00. Mr. David Murphy, Director of Public Safety explained that this was related the application for a Firefighters Assistance Grant for equipment in the amount of $265,000.00 for a 300 gallon tanker to be housed at Station 5 (Shoal Creek).

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Goodger there was a unanimous vote to approve the grant administration agreement with the Georgia Mountains Regional Commission in the amount of $500.00 for their support in applying for a $265,000.00 grant for fire equipment through the Firefighters Assistance Program.

Mr. Melton advised the Board that the current road projects would be complete within the week.

Chairman Turner opened the floor for citizen participation.

Ms. Lillian Hall expressed her wishes to see County Commissioners voted for on an at large basis as opposed to at the district level. She stated that this would provide the possibility of majority representation for citizens. She also expressed her concerns regarding the proposed issuance of bonds for refinancing the jail construction debt and recreation projects.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Goodger there was a unanimous vote to enter into Executive Session in order to discuss personnel.

-See the Following Closed Meeting Affidavit-

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

There was a consensus that the Board wanted Mr. House to review Putnam County's Ordinance regarding disorderly conduct as well as any portions of OCGA which could be helpful in enforcing specific noise type complaints within the county.

There was a consensus that the Board wanted Mr. Melton to move forward with reclassifying Mr. Joe Gailey – Director of Recreation, from an interim status to regular status.

There was a consensus that the Board wanted Mr. Melton to contact GebCorp in order to obtain more specific information regarding the possibility and timeline of transferring employee retirement benefits from VALIC to GebCorp.

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

The minutes of the November 7, 2016 Regular Meeting are hereby approved as stated this 5th day of December, 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