

WHITE COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE REGULAR MEETING HELD

MONDAY, FEBRUARY 7, 2011 AT 4:30 P.M.

White County Board of Commissioners held a Regular Meeting on Monday, February 7, 2011 at 4:30 P.M. in the Grand Jury Room of the White County Courthouse. Present at the meeting were: Chairman Travis Turner, Commissioner Terry Goodger, Commissioner Lyn Holcomb, Commissioner Edwin Nix, Commissioner Craig Bryant, County Manager Carol Jackson, 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 to invocation.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Goodger there was a unanimous vote adopt the minutes of the Regular Meeting held January 14, 2011 and the Called Meeting held January 27, 2011 with a portion being sealed minutes regarding real estate.

Upon presentation of proclamation, February 6-12, 2011 was declared Future Business Leaders of America (FBLA) week in White County.

Commissioner Nix asked that the consideration of authorizing a letter of support to the U.S. Forest Service in coordination with the Mr. Morris Biggers' request for an observation tower on Yonah Mountain be removed from the consent agenda until the Board of Commissioner had an opportunity to discuss the project further.

Commissioner Bryant asked that the consideration for the applicable cash match (up to \$250,000.00 from the remaining GDOT right of way proceeds and 2008 SPLOST) and the adoption of a resolution regarding application for a Community Development Block Grant (CDBG) for the expansion of the White County Senior Center be moved to the new business portion of the agenda in order to allow for additional discussion on the matter.

There was a consensus of the Board on the noted changes to the meeting agenda.

Chairman Turner presented the consent agenda.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Nix there was a unanimous vote to approve the following items contained on the consent agenda:

- Approval of Mr. H.H. Whetzel's appeal to the White County Code Appendix A (Subdivisions), Article 6 (Design Requirement for Streets), Section 601 (Access) and

Article 8 (Design Requirements for Blocks and Lots) Section 802 (Lot Width and Size) relative to the lot deeded to Mr. Whetzel on August 10, 2010;

- Adoption of a transmittal resolution (County Resolution Number 2011- 07) for the White County Comprehensive Solid Waste Management Plan – for the update required on an every five (5) year basis;
- Adoption of a resolution (County Resolution Number 2011- 08) updating the White County Short Term Work Program, as approved by the Department of Community Affairs; and
- Approval of the Guaranteed Maximum Price (GMP) – in the amount of \$274,836.00 to be paid from the 2008 SPLOST – contract with Charles Black Construction, Construction Manager, for the White County Public Works Facility, with the installation of the septic system to be rebid.

-End of Consent Agenda-

Chairman Turner stated the Board realized there were several individuals in attendance who wanted to address the Board of Commissioners regarding the proposed expansion of the White County Senior Center. Chairman Turner stated the Board of Commissioners wanted to assure those in attendance that the Board had allocated and intended on spending up to \$250,000.00 for the expansion of the existing Senior Center; however the Board was considering applying for a grant to match the allocated funds in order to provided the additional space needed – as determined by the staff and supporters of the Senior Center.

He opened the floor for comments on the matter.

The following public comments were entered into the meeting record:

Ray Davis, 9489 Tellis Mill Road Lula, GA – Mr. Davis asked how much the County expected to receive from the grant which they were applying for. Chairman Turner stated the hope was the County would receive \$250,000.00 in funding from the Community Development Block Grant (CDBG). Chairman Turner asked Tom O’Bryant, Director of Community & Economic Development, to give an overview of the grant process. Mr. O’Bryant stated the minimum match on this type of project would be 10% and the County’s commitment to a 50% match would cause the application to be viewed more favorably. He further clarified the associated funds had already been allocated and the grant was made up of federal funds, which were funneled through the State level to local governments. Mr. Davis stated that he felt the grant should have been applied for sooner – as the expansion was promised three (3) years ago and he did not think the County’s chances of receiving these funds was very good given the current fiscal conditions at the State and Federal levels. Commissioner Bryant stated that although the expansion project had been considered during the past few years that Board’s commitment to funding \$250,000.00 for the project had not changed; however through meetings between George Havana, Architect, and Bonnie York, Director of the Senior Center it was determined that \$250,000.00 would not be sufficient for the amount of space needed. Mr. Davis stated he was concerned for the safety of the seniors since there was not adequate space. Mr. O’Bryant stated applications for the CDBG were due April 1, 2011 and the grant awards would be made October 1, 2011. Chairman Turner explained the Board understood the frustrations of the seniors; however the Board was doing all things possible to move the project along and to secure the necessary funding. Mr. O’Bryant

confirmed the County could not begin the project in advance of the grant award if the County intended to apply for the grant. Commissioner Bryant stated if the Board of Commissioners moved forward with the expansion project at this time – the Senior Center would not get the full expansion needed. Commissioner Nix stated the fact that the County was only asking for a 50% match for the project made the approval of the grant application likely and he felt confident in the County being awarded these funds.

Chairman Turner asked Carol Jackson to meet with Bonnie York and George Havana in order to review the potential options and costs for the expansion of the Senior Center – with a report being provided to the Board of Commissioners at the February 28, 2011 Work Session, as well as a report detailing the status of all SPLOST accounts.

Barbara Wells, 178 Wooten Road Cleveland, GA – Ms. Wells asked if the County had applied for the CDBG last year. Chairman Turner stated this was the first time White County had applied for a CDBG since 1995 – when the current Senior Center was constructed with CDBG funds. Carol Jackson stated that the expansion plans produced by the architect were not finalized until after the 2010 CDBG application due date.

Sam Sparaza, Asbury Mill Road Cleveland, GA – Mr. Sparaza asked what options would be available if the grant was not approved for the project. Commissioner Bryant stated that is the reason he was asking for an update at the next work session on the current status of the SPLOST funds – in order for the Board to be able to consider all options available. Mr. Sparaza commented on the space limitations of the current center and about his concerns for the safety of the seniors.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Bryant there was a unanimous vote to adopt the following resolution (County Resolution Number 2011- 09) regarding application for a Community Development Block Grant (CDBG) for the expansion of the White County Senior Center with an applicable cash match commitment of up to \$250,000.00 – with matching funds to be taken from the remaining GDOT right of way proceeds and the 2008 SPLOST.

WHITE COUNTY BOARD OF COMMISSIONERS

RESOLUTION NO. 2011-09

A RESOLUTION

WHEREAS, White County is duly constituted under the laws of Georgia; and,

WHEREAS, in every case it is the intention of White County to develop opportunities for the public good and the general welfares of the citizens of White County and the State of Georgia; and,

WHEREAS, White County has found that due to considerable growth the White County Senior Center building is not of adequate size to serve the senior citizens of White County, and,

WHEREAS, it has been determined, by White County, expansion and additions to the current White County Senior Center building would create a better environment for the senior citizens of White County, and,

WHEREAS, the financing of the project through the Community Development Block Grant funding is critical to the construction and expansion of the Senior Center building, and,

WHEREAS, the health and general welfare of the senior citizens of White County is essential to the well being of White County, and,

WHEREAS, White County now owns and continues to own the rehabilitated White County Senior Center building, and,

NOW, THEREFORE, BE IT RESOLVED, that White County will seek Community Development Block Grant Program assistance from the State of Georgia as a necessary funding component for this project to be matched with a cash amount of up to \$250,000.00 from White County.

ADOPTED this 7th day of February.

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 Smallwood
Shanda Smallwood, County Clerk

-End of Resolution 2011-09 As Adopted-

Keith Canup, with the White County Road Department, explained to the Board of Commissioners that the Department of Transportation was requiring all local governments to go through a certification process in order to be eligible for federally funded transportation projects – this process is called LAP (Local Administered Projects) certification. Mr. Canup stated that part of this certification process was to identify staff or two (2) engineering firms – one large firm and one small firm – which could potentially oversee future projects involving federal funds. He said this did not require any expenditure on the county's behalf at this time – the only action needed at this time was the designation of the firms as required for certification. Commissioner Bryant stated he was concerned about designating the firms, without knowing exactly what they would charge on a project and what the county's obligations would be. Chairman Turner suggested the firms recommended by Mr. Canup (KCI Technologies– large firm and JM Smith Engineering – small firm) be designated – with bids being taken on individual projects as the projects are identified.

Upon a motion made by Commissioner Nix, seconded by Commissioner Holcomb there was a unanimous vote to designate KCI Technologies (large firm) and JM Smith Engineering (small firm) as required for the Georgia Department of Transportation's LAP (Local Administered Projects) Certification in order to qualify for federally funded transportation project opportunities, with bids to be obtained on projects and services when specific projects are identified in order to assure the County is obtaining the best price for cost savings to the taxpayers of White County.

In considering the appointment to the White County Board of Assessors for a three (3) year term to expire December 31, 2013 – Chairman Turner stated this appointment was necessary to Mr. Jerry Nicholson not accepting the appointment to this position.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Goodger there was a unanimous vote to withdrawal Mr. Jerry Nicholson's appointment to the White County Board of Assessors.

There was a consensus of the Board that additional interviews of applicants would be conducted in order to fulfill the appointment to the White County Board of Assessors – with the appointment to be discussed further at the February 28, 2011 work session.

Vicki May, Finance Director, presented to monthly financial status report for the month of December 2010 (see the attached report).

Chairman Turner stated that although the county finances were still operating in the black, the Board of Commissioners had resolved to watch the finances very closely during the current economic slow down to insure the future financial stability of White County.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Holcomb there was a unanimous vote to continue the hiring freeze policy first instated on July 7, 2008 and as follows:

“WHITE COUNTY HIRING FREEZE POLICY”

- (a) Due to the current economic climate, increases in fuel and other costs, the Board of Commissioners in order to avoid the elimination of active employees, hereby implements a “hiring freeze” for all non-Public Safety positions until further notice or otherwise approved by the Board of Commissioners.
- (b) The “hiring freeze” shall include full and part time employment in all departments and offices receiving funding from the White County General Fund.
- (c) The Board of Commissioners recognizes that some positions are of a critical nature and will require filling if vacated during this period.
- (d) If a Department Manager or Elected Official deems that a vacated position falls into the “critical nature” category, the Department Manager or Elected Official shall request that the Board of Commissioners perform a “critical nature determination” review of the position.
- (e) If the Board of Commissioners does not determine that the position is “critical,” the position shall remain vacant until further determination of the need.”

Jeff Nix, 856 Warwick Road Cleveland, GA, presented the Board of Commissioners with the appeal filed by Hearth & Home, Inc. to the White County Code, Article I (Alcohol Beverages), Section 6-100 (Location Restrictions) A(5) due to the denial of a variance by the White County Alcohol Commission on January 25, 2011.

Mr. Nix stated he believed the Board of Commissioners should grant his appeal, allowing him to operate as a retail package dealer in a location which is less than 150 feet from a private residence because he can meet all other requirement of the application, except for the distance limitations. Mr. Nix further stated that the owner of the residence had written a letter stating she had no objections to the location. He explained that his business had suffered during the current downturn in building and he needed the additional revenue to stay in business.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Holcomb there was a unanimous vote to uphold the Alcohol Beverage Commission’s decision by not granting the appeal filed by Hearth & Home, Inc. to the White County Code, Article I (Alcohol Beverages), Section 6-100 (Location Restrictions) A(5) due to the denial of a variance by the White County Alcohol Commission on January 25, 2011 – due to the private residence being less than 150 feet from the building where the proposed business was to be located.

Commissioner Holcomb stated he felt it was best for the Board of Commissioners to stay within the restrictions stated in the current ordinance and to not set a precedence of varying from the requirements and apologized to Mr. Nix that this did not work out in his favor.

David Murphy, EMA/E911 Director, stated the County had received a pre-disaster hazard mitigation grant from FEMA in the amount of \$38,964.00 – which required a 25% local match in the amount not to exceed \$12,982.00 – and this grant was to fund the installation of three (3)

outdoor warning sirens at Fire Station 5 (Shoal Creek), Fire Station 7 (Chimney Mountain), and the Sky Lake Community. The siren project had been bid out, with the low bidder being Mobile Communications of Hall for the amount of \$51,952.00. Mr. Murphy explained the Board had previously voted to fund the local match from excess beer and wine revenues. Vicki Mays confirmed the excess amount of the revenues collected were available to fund this project.

Upon a motion made by Commissioner Nix, seconded by Commissioner Goodger there was a unanimous vote to award the contract for installation of the three (3) outdoor warning sirens to Mobile Communications of Hall in the amount of \$51,952.00 – with \$38,964.00 to be paid with the FEMA pre-hazard mitigation grant and the remaining amount not to exceed \$12,982.00 (25% local match) to be paid from excess beer and wine revenues.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Goodger there was a unanimous vote to refund the \$100.00 paid by Mr. Jeff Nix relative to the filing of his variance request.

Mr. Nix asked if the Board would consider granting his appeal if he located the retail package business portion of this business in the further corner of his building. Following discussion, review of the applicable code section, and the associated plat – it was determined the applicable code section required measurement to be taken from the nearest point of the building to the nearest corner of the residence – regardless of where in the building the retail package business was located.

Chairman Turner opened the floor for citizen participation. There were no additional comments from the floor.

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

The minutes of the February 7, 2011 Regular Meeting are hereby approved as stated this the 7th day of March, 2011.

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

February 7, 2011 – Regular Meeting Minutes

s/Craig Bryant
Craig Bryant, District 4

s/Shanda Smallwood
Shanda Smallwood, County Clerk