

# WHITE COUNTY BOARD OF COMMISSIONERS

## MINUTES OF THE REGULAR MEETING

**HELD MONDAY, MAY 7, 2012 AT 4:30 P.M.**

On Monday, May 7, 2012 at 4:30 p.m. the White County Board of Commissioners held a Regular Meeting in Courtroom 2 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 Michael Melton, Finance Director Vicki Mays, and County Clerk Shanda Smallwood.

Chairman Turner called the meeting to order.

Following the pledge of allegiance, Dr. John Yarbrough of Mount Yonah Baptist Church provided the invocation.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Goodger there was a unanimous vote to adopt the minutes of the Regular Meeting held April 9, 2012, the Called Meeting held April 17, 2012, and the Enotah Judicial Circuit Budget Meeting – with a correction being made to page four of the Enotah Budget Meeting in order for the minutes to reflect that the staff's recommendation did not include providing supplements to the two (2) incoming Superior Court Judges.

Chairman Turner introduced and welcomed the new County Manager – Mr. Michael Melton.

Mr. Russ Spangler, Intern Chamber of Commerce President introduced the new Chamber President – Ms. Melissa Leitzsey.

Chairman Turner made a statement regarding a recent court ruling relative to White County's Land Application Ordinance. He stated that the Board of Commissioners is please that the Court concluded that it had not violated LHR's Farms Constitutional rights and that no money had been awarded to LHR or its attorneys. As for the Court's Order enjoining enforcement of the County's Ordinance regarding Land Application Systems, the Board had received guidance from legal counsel against appealing the court ruling and the insurance carrier had determined that coverage would not apply to an appeal. He stated the Board was frustrated with the court ruling; however he encouraged the citizens of White County to contact their local state legislators in order to express a desire that the laws be rewritten to explicitly authorize local government regulation of Land Application Systems. Chairman Turner said the Board would be working with the Planning Commission (and Planning Department Staff) in order to develop a land use plan which would meet the needs, desires, and future growth of the community which we hope to have in the coming decades. He stated that within the next thirty days the Board of Commissioners would need to meet with the Planning Board in order to prepare for possible public forums within the next 60 days to inform the public of the proposed land use plan.

Mr. Matt Bidwell of MSI Benefits Group presented options for the 2012-2013 renewal of the employee benefits plan. He reviewed that in July 2011, the County saved over \$96,000.00 by changing medical insurance coverage to Alliant – who also guaranteed a maximum premium increase of 17% (net increase of \$238,357.00) for the 2012-2013 benefit year. During the 2011-2012 benefit year review period (through December 2011) the County had paid \$822,981.00 in premiums and Alliant had paid \$890,922.00 in claims (108% paid loss ratio). Mr. Bidwell stated 17% increase with Alliant would increase the County's expense for health insurance by \$238,357.00 for the upcoming fiscal year. Other renewal options were presented including; however these included substantial increases in premiums or substantial decreases in benefit level due to the significant claims experience. He explained that with the loss ratio of 108% - without the guaranteed cap on the increase for the upcoming year – Alliant would have assessed a 30%-35% increase. Ms. Shanda Smallwood, County Clerk & Human Resources Director, stated that her recommendation was to include the 17% increase in the county-paid portion of the FY 2013 budget and to continue emphasizing wellness initiatives through the County Employee Wellness Program. Chairman Turner stated the Board would consider a decision on the renewal options at their June meeting.

May 7, 2012 – Regular Meeting Minutes (continued)

Chairman Turner recognized the contributions Rodney “Blake” Sosebee had made to White County during the seventeen (17) years he served as a White County Sheriff’s Deputy and expressed the Board’s sympathies to his family in his passing.

Chairman Turner also offered the Board’s condolences to Commissioner Lyn Holcomb and his family with the passing of Commissioner Holcomb’s mother-in-law – Mildred “Mickey” McDonald who was the only female to have served as a County Commissioner.

Attorney Carl Free, presented the appeal for Mr. Mark Chambers for the denial of a variance by the White County Planning Commission on March 6, 2012 – related to allowing subdividing of property accessed by an easement (White County Code Article 6, Section 601). Mr. Free stated the previous property owner (Mr. William Daniel) when developing the property and in selling the last parcel of land on the end of the road he had not reserved an easement to allow access to the 14.71 acres past the last parcel. Mr. Chambers had purchased the 14.71 acre tract from the Daniel Estate in 2009 and in 2010 Mr. Chambers purchased the property at the end of the easement – 1.34 acres. The survey which had been completed February 15, 2012 - with the purchase of both tracts shows both tracts touching the existing easement. Mr. Free stated Mr. Chambers was requesting the two (2) tracts remain separate; however to allow for a variance in order for the plat to be approved as two (2) tracts off the easement road with the redrawing of the plat which allowed both tracts to touch the easement. Mr. Free said Mr. Chambers was in understanding that in order to subdivide the 14.71 acre tract at a later date that he would have to improve the easement and return to the Planning Commission for approval under the subdivision regulations. Mr. Chambers stated the property’s contour was not conducive to subdividing that his plans were build a single house on the 14.71 acre tract. Mr. Tom O’Bryant, Director of Community and Economic Development, summarized that the Planning Commission did not have an issue with combining the two (2) tracts in order to allow access off the easement; however they felt that if the 14.71 acre tract was going to be accessed by the easement that the easement should be brought up to the required standard. Mr. O’Bryant explained that if the 14.71 acre tract was sold that it would be accessed by the driveway on the current 1.34 acre tract. Upon a motion made by Commissioner Holcomb, seconded by Commissioner Goodger there was a unanimous vote to grant the appeal – thereby approving the variance- to White County Code Article 6, Section 601 filed by Mr. Mark Chambers relative to the 14.71 acre tract and the 1.34 acre tract as shown on the plat dated February 15, 2012.

Mr. John Becker, of the Food Bank of Northeast Georgia, presented plans for new facility which would service White County and the surrounding area. He asked the Board of Commissioners for a letter of support which would benefit the organization in obtaining funding in order to construct the facility.

Ms. Heather Sinyard asked the Board of Commissioners for financial sponsorship toward the 2012 Hillbilly Hog BBQ Throw Down event which would be held at Babyland General on October 26 and 27, 2012.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Goodger there was a unanimous vote to approve a \$5,000.00 sponsorship for the 2012 Hillbilly Hog BBQ Throw Down, with funds to be taken from hotel / motel tax collections and to be administered by the White County Chamber Commerce for advertising and promotion of the event.

Upon a motion made by Commissioner Nix, seconded by Commissioner Bryant there was a unanimous vote to adopt the following surplus resolution, being County Resolution No. 2012- 09 , with proceeds of the sale of the 1992 Ford Ambulance being designated for the purchase of equipment by the White County Sheriff’s Office:

**WHITE COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION NO. 2012- 09**

**TO DECLARE CERTAIN PROPERTY OWNED BY WHITE COUNTY TO BE SURPLUS PROPERTY; TO PROVIDE FOR THE DISPOSAL OF SAID PROPERTY BY ON-LINE AUCTION THROUGH GOVDEALS; TO PROVIDE FOR ADVERTISING OF SAID DISPOSITION OF SAID PROPERTY; AND TO AUTHORIZE A REPRESENTATIVE OF WHITE COUNTY TO EXECUTE ANY TITLE TRANSFERS AND BILLS OF SALE ON THE PROPERTY.**

**WHEREAS**, the Board of Commissioners of White County have determined that certain County-owned property is surplus; and

**WHEREAS**, the Board of Commissioners of White County desires to dispose of said property through the government on-line auction and to give public notice of said disposition;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of White County, Georgia, and it is hereby resolved by the authority of the same as follows:

-1-

The Board of Commissioners of White County hereby declares that the property described in Exhibit "A" attached hereto and incorporated herein by reference is surplus and shall be disposed of by the county by government on-line auction to the highest responsible bidder for each item. All surplus personal property will be sold "as is" and must be removed from the county property by the successful bidder within ten (10) days from the award of the bid, except as otherwise provided in Exhibit "A."

-2-

The Board of Commissioners of White County reserves the right to refuse any and all bids on said property.

-3-

The County Manager is hereby authorized to execute any title transfers and bills of sale to the successful bidders on the personal property.

**ADOPTED**, this 7th day of May, 2012.

**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

**WHITE COUNTY**  
**SURPLUS PROPERTY**  
**TO BE SOLD “AS IS/WHERE IS”**

**-EXHIBIT A-**

- 1992 Ford Ambulance VIN# 2FDLF47M8NCA74631
  
- HP Laserjet 8000 DN
- Viewsonic 19” Monitors (2)
- Acer 19” Monitor
- HP Officejet K550 printer
- HP Deskjet 5440 printer
- B136 Olivetti typewriter ribbon
- B244 Olivetti typewriter ribbon
- Partial box – staples for Canon copier
- Dictation cassettes (2)
- Time clock ribbon – Lathem 5000E
- 60 minute audio cassette (2)
- Okidata ribbon for Okimate 240 & 380/390/391 Microline printer - for 24 pin models (5)
- Nu-Kote replacement ribbon for Okidata ML182/192/390/391 – interchangeable with Nu-Kote ribbon #BM249
- IBM 210 correctable ribbon cassettes (6)
- Brother, copy, fax, scan machine – uses color & B/W cartridges

-End of Resolution-

Upon a motion made by Commissioner Bryant, seconded by Commissioner Nix there was a unanimous vote appoint Mr. Chris Anderson to the White County Chamber of Commerce Board of Directors for a two (2) year term expiring June 30, 2014 (*position previously held by Mr. Bob Oliver*).

Upon a motion made by Commissioner Nix, seconded by Commissioner Goodger there was a unanimous vote to adopt the following resolutions revising bank signatories being County Resolution No. 2012 – 10 (Non-Certificate of Deposit Accounts), County Resolution No. 2012-11 (Certificate of Deposit Accounts), and County Resolution No. 2012-12 (Safe Deposit Box Account):

**WHITE COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION NO. 2012- 10**

**A RESOLUTION**

**WHEREAS**, the Board of Commissioners wishes to amend the authorization for signatures on the accounts held by White County at Regions Bank of White County, Community Bank and Trust, United Community Bank, and Mountain Valley Community Bank;

**THEREFORE, IT IS HEREBY RESOLVED THAT:** The records of Regions Bank of White County, Community Bank and Trust, United Community Bank, and Mountain Valley Community Bank be amended to show that any withdrawals (except Certificates of Deposit) or checks written out of the Commission Accounts must bear signatures as follows:

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1. On any payroll checks or on any payroll-related checks, any TWO of the following:  
TRAVIS C. TURNER, COMMISSION CHAIRMAN;  
TERRY D. GOODGER, DISTRICT 1 COMMISSIONER;  
LYN HOLCOMB, DISTRICT 2 COMMISSIONER;  
EDWIN NIX, DISTRICT 3 COMMISSIONER;  
CRAIG BRYANT, DISTRICT 4 COMMISSIONER;  
MICHAEL MELTON, COUNTY MANAGER; OR  
SHANDA SMALLWOOD, COUNTY CLERK.
  
2. On checks, other than payroll checks or payroll-related checks, in any amount, TWO of the following, with ONE signature being that of one of the County Commissioners:  
TRAVIS C. TURNER, COMMISSION CHAIRMAN;  
TERRY D. GOODGER, DISTRICT 1 COMMISSIONER;  
LYN HOLCOMB, DISTRICT 2 COMMISSIONER;  
EDWIN NIX, DISTRICT 3 COMMISSIONER;  
CRAIG BRYANT, DISTRICT 4 COMMISSIONER;  
MICHAEL MELTON, COUNTY MANAGER; OR  
SHANDA SMALLWOOD, COUNTY CLERK.

**IT IS FURTHER RESOLVED** that each of the above designees could affix his/her signature to such checks with a signature facsimile stamp, with each designee having the sole possession and control of his/her signature stamp.

Let the Clerk prepare an extract of these minutes for the records of Regions Bank of White County, Community Bank and Trust, United Community Bank, and Mountain Valley Community Bank.

**ADOPTED**, this 7th day of May, 2012.

Travis C. Turner, Chairman

s/Travis C. Turner

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

s/Lyn Holcomb  
Lyn Holcomb, District 2

Attest: s/Shanda Smallwood  
Shanda Smallwood, County Clerk

s/Edwin Nix  
Edwin Nix, District 3

s/Craig Bryant  
Craig Bryant, District 4

**WHITE COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION NO. 2012-11**

**A RESOLUTION**

**WHEREAS**, the Board of Commissioners wishes to amend the authorization for signatures on the purchase, renewal and/or redemption of any and all Certificates of Deposit held by White County Board of Commissioners at Regions Bank of White County, Community Bank and Trust, United Community Bank, and Mountain Valley Community Bank;

**THEREFORE, IT IS HEREBY RESOLVED THAT:** The records of Regions Bank of White County, Community Bank and Trust, United Community Bank, and Mountain Valley Community Bank be amended to show that any purchase, renewal, and/or redemption of any Certificates of Deposit in the name of the White County Board of Commissioners must bear signatures as follows:

Any TWO of the following:

TRAVIS C. TURNER, COMMISSION CHAIRMAN;  
TERRY D. GOODGER, DISTRICT 1 COMMISSIONER;  
LYN HOLCOMB, DISTRICT 2 COMMISSIONER;  
EDWIN NIX, DISTRICT 3 COMMISSIONER;  
CRAIG BRYANT, DISTRICT 4 COMMISSIONER;  
MICHAEL MELTON, COUNTY MANAGER;  
SHANDA SMALLWOOD, COUNTY CLERK; OR  
VICKI MAYS, FINANCE DIRECTOR.

Let the Clerk prepare an extract of these minutes for the records of Regions Bank of White County, Community Bank and Trust, United Community Bank, and Mountain Valley Community Bank.

**ADOPTED**, this 7th day of May, 2012.

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

**WHITE COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION NO. 2012-12**

**A RESOLUTION**

**WHEREAS**, the Board of Commissioners wishes to amend the authorization for signatures on the accounts held by White County at United Community Bank of White County;

**THEREFORE, IT IS HEREBY RESOLVED THAT:** The records of United Community Bank of White County be amended to show that the following individuals are now and hereafter authorized to have access to the safe deposit box number 132 provided the entrance card is signed at the time of entrance by any two (2) of the below named individuals:

TRAVIS C. TURNER, COMMISSION CHAIRMAN;  
TERRY D. GOODGER, DISTRICT 1 COMMISSIONER;  
LYN HOLCOMB, DISTRICT 2 COMMISSIONER;  
EDWIN NIX, DISTRICT 3 COMMISSIONER;  
CRAIG BRYANT, DISTRICT 4 COMMISSIONER  
MICHAEL MELTON, COUNTY MANAGER;  
SHANDA SMALLWOOD, COUNTY CLERK; OR  
VICKI MAYS, FINANCE DIRECTOR

**IT IS FURTHER RESOLVED**, that the foregoing authority shall continue until a resolution of the White County Board of Commissioners is received by United Community Bank indicating that this authority has been revoked or modified and this resolution shall supersede all resolutions of a like nature previously furnished to United Community Bank.

Let the Clerk prepare an extract of these minutes for the records of United Community Bank of White County.

**ADOPTED**, this 7<sup>th</sup> day of May, 2012.

**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 Bank Signatories Resolutions-

Chairman Turner stated the Board was awaiting an opinion from the Georgia Attorney General's Office regarding the administration of Superior Court Judge Supplements; therefore there would be no decision regarding the FY 2012 Enotah Judicial Circuit Budget.

Chairman Turner asked that a meeting with the City of Cleveland and the City of Helen be scheduled at the May Work Session in order to meet the July 1 deadline for correspondence to be forwarded to the Georgia Department of Revenue advising that L.O.S.T. (Local Option Sales Tax) renegotiations are underway.

Mr. Kevin Hamby, CHA / SPLOST Manager, presented a FY 2012 / 2013 presentation for SPLOST (Special Purpose Local Option Sales Tax) Roads & Bridges Projects (see attached presentation). He detailed expenditures to date of the \$570,000.00 designated for FY 2012 – of which \$187,075.00 was remaining. It was proposed that the remaining funds be utilized for equipment and emulsion purchase. The FY 2013 request for SPLOST Funds for Roads & Bridges Projects was a total of \$1,450,000.00 – which would complete deep patching on three (3) county roads – Asbestos Road, Paradise Valley Road, and Sky Lake Road – with these roads being proposed to be surfaced with the FY 2014 LMIG (Local Maintenance Improvement Grant). The FY 2013 proposal also included resurfacing of Town Creek Road, the Recreation Department Road (off Asbestos Road), and eleven (11) other county roads as well as strip patching of Asbestos Road, Paradise Valley Road, and Sky Lake Road.

There was a consensus of the Board that the driveway and the loop at the White County Recreation Department should be given priority with the remaining funds in the FY 2012 Program. Mr. Keith Canup estimated the project would cost \$55,350.00.

Chairman Turner stated that if the proposed program was adopted that this would not allow the bonds for the jail construction to be paid off early. Mr. Hamby emphasized that the 2014 SPLOST (FY 2015) which had been approved by the voters included the last five (5) years of debt service for the bonds.

Chairman Turner asked when the Road Department planned to present a proposal which would include paving some of the dirt roads in the County.

Ms. Rolann Smith, White County Road Department, stated it was inadvisable to recommend the paving of dirt roads when many of the existing paved roads were in such poor condition. Mr. Canup stated the damage on the existing paved roads was increasing at an exponential rate which was ever increasing the repair costs.



May 7, 2012 – Regular Meeting Minutes (continued)

Chairman Turner stated that \$5,500,000.00 in the 2014 SPLOST would be allocated to asphalt on the ground projects throughout the County. Mr. Hamby stated the Board was thirty (30) months away from the beginning of the 2014 SPLOST collections.

Mr. Hamby suggested the Board approve the presentation as a plan for FY 2012 and allow the requested SPLOST Funds for FY 2013 (\$1,450,000.00) road projects to be designated and only encumbered as each project was bid and the contract was approved.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Goodger there was a unanimous vote to approve \$55,350.00 from the FY 2012 SPLOST Road and Bridges Allocation for the paving of the Park and Recreation driveway and loop off Asbestos Road and to approve FY 2013 SPLOST Road and Bridges Plan as presented (\$1,450,000.00) with projects being approved as these are bid out and contingent on funds being available.

Mr. Kevin Hamby presented the monthly status update for the 2008 SPLOST Program (see attached report).

Ms. Vicki Mays, Finance Director, presented the monthly Financial Status Report for March 2012 (see attached report).

Commissioner Goodger presented information to the Board of Commissioners regarding Freeport Exemption. He estimated that offering this tax exemption would reduce the tax revenue collected by approximately \$74,818.00; however he noted this was a very important incentive to offer for economic development in White County. He stated the Board of Commissioners would need to present a resolution calling for a referendum regarding providing Freeport Exemption in White County to the Election Superintendent by July 1, 2012. There was a consensus that the resolution would be considered at the June meeting of the Board of Commissioners.

Commissioner Bryant stated that he would like for the Board of Commissioners to consider purchasing two (2) vehicles for the White County Sheriff's Office – to be paid for from Alcohol Tax Revenue (General Fund).

Upon a motion made by Commissioner Bryant, seconded by Commissioner Goodger there was a unanimous vote to allocate up to \$62,000.00 to the White County Sheriff's Office for the purchase of two (2) vehicles – with the purchase to be taken from Alcohol Tax Revenue (General Fund).

Chairman Turner opened the floor for citizen participation.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Goodger there was a unanimous vote to exit to Executive Session (see attached closed meeting affidavit).

*Minutes of the Executive Session are sealed and maintained by the County Clerk pursuant to O.C.G.A. §50-14-1(e)(2)(C).*

May 7, 2012 – Regular Meeting Minutes (continued)

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

Upon a motion made by Commissioner Bryant, seconded by Commissioner Nix there was a unanimous vote to convert Ms. Jean Welborn's compensation to be paid on an hourly rate basis with the transition of Mr. Melton being hired as County Manager.

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

The minutes of the May 7, 2012 Regular Meeting of the White County Board of Commissioners are approved as stated this 4th day of June, 2012.

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 Smallwood

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Shanda Smallwood County Clerk