

WHITE COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE REGULAR MEETING HELD

MONDAY, FEBRUARY 6, 2012 AT 4:30 P.M.

The White County Board of Commissioners held a Regular Meeting on Monday, February 6, 2012 at 4:30 p.m. in the Main Courtroom of the White County Courthouse. Present at the meeting were: Chairman Travis Turner, Commissioner Terry Goodger, Commissioner Lyn Holcomb, Commissioner Edwin Nix, Commissioner Lyn Holcomb, Interim County Manager Jean Welborn, Finance Director Vicki Mays, and SPLOST Manager Kevin Hamby.

Chairman Turner called the meeting to order.

Following the pledge of allegiance, Pastor Marc Turner of the Cleveland Worship Center / White County Ministerial Alliance 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 Called Meeting held January 5, 2012.

Upon presentation of proclamation, February 5-11, 2012 was declared FBLA Week in White County.

The National Weather Service presented a twenty (20) year length of service award to Mr. Bill Kinsland in recognition of his contributions to the National Weather Service in White County and a national recognition - The John Kampanius Holm Award in recognition of his excellence in meteorological reporting.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Nix the following consent agenda was unanimously approved:

- Approval of the White County Sheriff's Office Application for a Small Agency Incentive Grant in the amount of \$10,000.00 through the Governor's Office of Highway Safety with funds to be used to purchase equipment to assist in traffic enforcement;
- Adoption of a Surplus Resolution (County Resolution No. 2012-01) for radio equipment assigned to the White County Sheriff's Office, with proceeds of the sale to be designated for the Sheriff's Office purchase of equipment;
- Reappointment of Commissioner Craig Bryant as Vice Chair of the White County Board of Commissioners as required annually by White County's Enabling Legislation;
- Approval of the 2012 Local Maintenance Improvement Grant (LMIG) projects as approved by the Georgia Department of Transportation (GDOT) to include the resurfacing of Town Creek Church Road, Westmoreland Road (West), and Shoal Creek Church Road – with White County paying \$32,000.00 for Shoal Creek Church Road from the previous 2008 Road Department SPLOST designation;
- Adoption of a Surplus Resolution (County Resolution No. 2012-02) for used furniture assigned to the White County Emergency Management Agency, with proceeds of public sale to be designated for the Emergency Services Fund; and

- Adoption of a surplus resolution (County Resolution No. 2012-03) for a 2000 Prowler Travel Trailer assigned to the White County Emergency Management Agency, with proceeds of the on-line sale to be designated for the Emergency Management Agency's purchase of equipment.

-End of Consent Agenda-

Chairman Turner opened the floor for public comment in regards to the land application facility proposed by Mr. Chris Mote in the Paradise Valley area of White County. Chairman Turner stated that according to County policy that each speaker would be allowed three (3) minutes to make any public comment.

Mr. Joe Kersey, 483 Gold Ditch Road Cleveland, GA – Mr. Kersey stated that he would like to comment regarding whether or not the County's LAS ordinance should be applied to Mr. Mote's project. He stated that he had attended many of the Board of Commission and Environmental Protection Division (EPD) meetings regarding the adoption of the ordinance and Mr. Mote's EPA Permit. Mr. Kersey asked the Board of Commissioners to consider what was best for the entire community and not one individual in their consideration of whether a land disturbance permit would be issued and if the current ordinance would apply to the Mote Project. He stated that if the facility was allowed that the tax base would be affected negatively.

Mr. Van Stephens, 976 Eden Circle Cleveland, GA – Mr. Stephens presented an informational binder he had prepared to the Board of Commissioner. He stated that he was one of the residents who opposed the EPD permit for the Mote Project through the court system. He asked that everyone who was opposed a county special use permit being granted to Mr. Mote to stand signifying their individual opposition. Mr. Stephens asked the Board to uphold the Land Application Ordinance which was adopted May 28, 2009 by the White County Board of Commissioners. He further stated that a group of individuals had toured the Mote property in Spring 2009 and the referenced property was not being utilized at that time for such purpose; therefore he stated the facility could not be grandfathered. Mr. Stephens reviewed the informational binder, which was entered into the meeting record.

Mr. Gary Esler, 450 Mill Trace Court Cleveland, GA – Mr. Esler stated that he was part of the community group which opposed Mr. Mote's EPD Permit through the administrative law review process and Superior Court. He stated the White County Board of Commissioners had made a legislative decision in passing the Land Application Ordinance which prohibited land application facilities from operating in a residential area and with the request made by Mr. Mote – Mr. Mote is requesting the ordinance be amended for him. Mr. Esler stated the Board of Commissioners should enforce the ordinance and if Mr. Mote did not agree with this then we needed to go through the court system.

Ms. Teresa Stansel, 2521 Adair Mill Road Cleveland, GA – Ms. Stansel stated she was in objection to the White County Board of Commissioners issuing a permit for the application human waste to Chris Mote and asked that the Board utilize the jurisdiction granted to them by the Georgia Constitution in order to protect the health and welfare of county residents.

Dr. Emmett Shotts, 1112 Logan's Ridge Cleveland, GA – Dr. Shotts stated that the request made by Chris Mote for a permit to be granted for his land application facility was an example thinking that you are doing the right thing and making advances, and not actually doing so. He was concerned about the lack of public health impact studies. He said that just because materials are sanitized does not mean that pathogens are removed. Dr. Shotts said he was also concerned about the effects on wildlife in the area as well as the residual run off which would pollute the stream.

Mr. Chris and Ms. Lena Dowdy, 169 Asbury Meadow Court Cleveland, GA – Ms. Dowdy stated that her and her husband owned the property adjacent to the proposed facility and would be on the side of the proposed spray fields. She stated that the EPD would not listen to land use issues; therefore she was asking that the Board of Commissioners hear this concern. She said this type of facility did not belong in a residential area with trout streams, wineries, RV parks, and children's camps. She stated that as the ordinance requires, he needed to be required to have a larger property area to build this type of facility in order to provide a greater buffer from neighboring properties. Ms. Dowdy also stated her concerns regarding Mr. Mote's company being registered as a limited liability company (LLC) and if he could fund a clean up if a spill were to occur. She stated that Mr. Mote should be required to fence his property in order to keep any wildlife from entering and that she was concerned about the piping crossing a stream – especially since the EPD would only be inspecting the facility once every five years.

Ms. Lillian Hall, 543 Lee's Crossing Cleveland, GA – Ms. Hall stated that rarely is there any environmental authority working to protect and notify citizens of environmental concerns at the local, state, or federal level. Ms. Hall stated the greater issue was the issue of zoning -as there had to be a designation made between residential and commercial areas and areas without zoning were targeted by some of the worst polluters of the environment.

Ms. Diane West, Cleveland, GA – Ms. West stated she was in support of the other comments made.

Ms. Terry Nelsy, 201 Sereal Drive Cleveland, GA – Ms. Nelsy stated that her property was adjacent to Mr. Mote's property. She stated that her husband has cancer and his immune system is weak; therefore she asked the Board of Commissioners to consider all circumstances in their decision making.

Ms. Kim Fletter, 485 Stone Hedge Drive Cleveland, GA – Ms. Fletter stated that emotion is not fact and that Mr. Mote had spent his own money to develop a plan to treat sewage which he has been told will work and set a precedent for other areas. She stated that White County should be known for following fact – not misstatements and allegations. Ms. Fletter stated that septic systems in use within the county for centuries create more waste in the environment than the system being proposed by Mr. Mote.

Ms. Cynthia Schmidt, 306 Carnation Place Cleveland, GA – Ms. Schmidt stated the operation proposed by Chris Mote would be located in a residential area.

Chairman Turner closed the public comment period.

Chairman Turner reviewed the agenda item at hand for the Board of Commissioners as being whether to require Mr. Chris Mote to follow the application process outlines in White County's Land Application Ordinance – White County Code, Chapter 50 Planning and Development, Article II Location of Facilities Engaged in the Land Application of Human Waste and Septage, Commercial Waste, or Both.

Chairman Turner stated that at the January 23, 2012 Work Session of the Board of Commissioners – Mr. Chris Mote appeared before the Board of Commissioners requesting that his company Chris Mote Pumping Service, LLC not have to go through the county's land application ordinance procedure. Chairman Turner continued by stating that based upon the fact that at this time Mr. Mote and his company have not attempted to follow the County's administrative procedure – he was asking for a motion that Mr. Chris Mote, Chris Mote Pumping Service LLC, or by any other name or applicant be required to go through the land application system process like any other county ordinance or policy.

Upon a motion made by Commissioner Nix, seconded by Commissioner Goodger there was a unanimous vote that Mr. Chris Mote, Chris Mote Pumping Service LLC, or by any other name or applicant be required to go through the land application system process like any other county ordinance or policy.

Chairman Turner addressed Mr. Chris Mote and stated that he could contact the White County Planning Department related to the process required by the land application ordinance.

Mr. Kevin Hamby, CHA / SPLOST Manager, stated that he had received a cost estimate from the architect on the White County Senior Center Expansion Project and based upon these estimates and the amount allocated from the 2008 SPLOST for this project – he recommended that the Board of Commissioners table the approval of the plan design at this time in order to allow staff to do some further research. Mr. Hamby stated that some value engineering may be necessary in order to bring the project back into budget before the project was put out for bid.

Chairman Turner stated the Board's desire was for this project to move forward; however the project had to be within the established budget (\$550,000.00) – of a \$300,000.00 CDBG funds and \$250,000.00 2008 SPLOST Funds. He stated that based on the cost projections the project was going to require some modifying. Commissioner Bryant asked for an explanation on the cost increase and Mr. Hamby stated the complexity of the roof design was the major concern.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Goodger there was a unanimous vote to table the consideration of the plan design for the White County Senior Center Expansion Project.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Goodger there was a unanimous vote to re-appoint Mr. James Staton to the White County Board of Assessors for a three (3) year term beginning January 1, 2012 and to expire December 31, 2014.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Nix there was a unanimous vote to approve the FY 2012 Addendum #1 to the Legacy Link, Inc. contract.

Commissioner Bryant stated that in relation to moving the safe deposit box from Regions Bank to United Community Bank – with the General Fund Account – that he wanted to have the Board’s credit cards reissued through United Community Bank as well.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Holcomb there was a unanimous vote to move the safe deposit box to United Community Bank (General Fund), the adoption of the subsequent bank signatory resolution (County Resolution No. 2012-04), and the reissuing of credit cards through United Community Bank.

Mr. Kevin Hamby, CHA / SPLOST Manager presented the 2008 SPLOST Status Report (see attached report).

Ms. Vicki Mays, Finance Director, presented the Monthly Financial Status Report for the month of December 2011 (see attached report).

Commissioner Goodger stated that he would like for the Board of Commissioners to consider pay increase for the County employees and he explained that every one-percent (1%) increase would be equal to \$67,000.00 including wages and taxes. He recommended a 3% increase to be retroactive to January 1, 2012 and to be funded with funds currently set aside for capital outlay in the FY 12 budget.

Chairman Turner stated he was aware that the County employees had not received a pay increase in several years; however he was concerned about the perception of the community if a pay increase was implemented and wanted to give the issue some thought.

Commissioner Goodger stated that recipients of Social Security Benefits had received a 3.6% increase for 2012, the cities had provided pay increases to their employees during the current fiscal year, and the Board had committed to considering a pay increase in January of the FY 12 budget year – and it was for these reasons that he felt the Board of Commissioners should discuss a pay increase for the County employees.

Ms. Jean Welborn stated the County employees had not received a pay increase in five (5) years and she explained the budget would need to be amended to move the capital outlay funds to wages. Ms. Vicki Mays stated the funds necessary for a pay increase could be taken from contingency. Chairman Turner stated that if the funds were taken from contingency that the funds remaining in capital outlay would be moved forward to fund balance at the end of the fiscal year. Sheriff Neal Walden reemphasized that it had been five (5) years since the employees had received a pay increase and he encouraged the Board of Commissioners to seriously consider an increase for the employees.

Commissioner Bryant stated he would prefer for the Board to consider a one-time bonus for the employees. Commissioner Nix stated he was concerned about the public perception of giving the County employees a pay increase when the Board of Education was reducing staff. Ms. Welborn

February 6, 2012 – Regular Meeting Minutes

stated that employees of the Board of Education had many benefits that County employees do not have.

There was a consensus among the Board to discuss the possibility of pay increases for County employees at the next Work Session.

Chairman Turner opened the floor for citizen participation.

Ms. Chris Allen stated she appreciated the Board of Commissioners and she loved the White County Community.

Commissioner Bryant asked Fire Chief Dickie Howard how active the County Fire Station on Hwy 129 North was. Chief Howard stated based on the number of responses the station was about third of fourth out of the six stations.

Commissioner Nix stated that the White County Water Authority was considering pulling a main from Adair Mill North on Hwy 129 to at least to Paradise Valley Road and he wanted to know if this would be beneficial to the Fire Station #6. Chief Howard stated the station had a good well; however the benefit would be for the residential areas along Hwy 129 and the fire protection along that area.

Commissioner Bryant stated the Water Authority did not have the funds for the project and they wanted to consider requesting funds from the County's Fire Fund if the project would benefit Fire Station #6.

Commissioner Nix stated the Water Authority was incurring a lot of expense in the installation of fire hydrants throughout the County and the residents were benefiting from the lower insurance ratings on their homeowner's insurance.

Chairman Turner asked if the Water Authority was having good success in getting residents to tap on the water system as they extended the lines. Commissioner Nix stated that residents were not tapping on initially; however they were when they had issues with their wells.

Chief Howard stated that he would evaluate the possible benefits of the proposed extension and report back to the Board of Commissioners at the next Work Session.

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

The minutes of the Regular Meeting held on Monday, February 6, 2012 are hereby approved as stated this 5th day of March, 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
Shanda Smallwood, County Clerk