

WHITE COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE CALLED MEETING HELD

FRIDAY, NOVEMBER 15, 2013 AT 8:30 A.M.

The White County Board of Commissioners held a Called Meeting on Friday, November 15, 2013 at 8:30 a.m. in the Board Room of the 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, and County Clerk Shanda Murphy.

Chairman Turner called the meeting to order.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Nix there was a unanimous vote to adopt the following American with Disabilities Act (ADA) Transition Plan in order to comply with Federal regulations, evaluate accessibility of facilities, and remain eligible for grant funding:

RESOLUTION

2013-18

**ADOPTION OF THE ADA TRANSITION PLAN
FOR WHITE COUNTY, GEORGIA**

WHEREAS, the governing authority of White County, in compliance with Title II of the Americans with Disabilities Act (ADA) is required to address the subject of ensuring that White County services and facilities are accessible to those with disabilities; and,

WHEREAS, the governing authority of White County now desires to adopt the “ADA Transition Plan” attached hereto as Exhibit “A” and including any attachments thereto, said exhibit being by reference fully included in this resolution as if specifically set out herein;

NOW THEREFORE, BE IT RESOLVED that the said ADA Transition Plan is hereby adopted by the White County Board of Commissioners.

RESOLVED, ADOPTED, AND EFFECTIVE, this 15th day of November, 2013.

s/Travis Turner

Travis C. Turner, Chairman
Board of Commissioners
White County, Georgia

(SEAL)

ATTEST: s/Shanda Murphy
Shanda Murphy, County Clerk
White County, Georg

Exhibit “A”



White County, Georgia
Americans with Disabilities Act
Transition Plan
2013

Introduction.

The Americans with Disabilities Act (ADA) of 1990 is a civil rights statute that prohibits discrimination against people who have disabilities. Title II of the ADA specifically addresses the subject of making White County services and County facilities accessible to those with disabilities. With the advent of the Act, designing and constructing facilities for public use that are not accessible by people with disabilities constitutes discrimination.

The Act applies to all facilities, including both facilities built before and after 1990. As a necessary step to a program access plan to provide accessibility under the ADA, state and local governments, public entities or agencies are required to perform self-evaluations of their current facilities, relative to the accessibility requirements of the ADA. The agencies are then required to develop a Program Access Plan, which can be called a Transition Plan, to address any deficiencies. The Plan is intended to achieve the following:

- (1) Identify physical obstacles that limit the accessibility of facilities to individuals with disabilities;
- (2) Describe the methods to be used to make the facilities accessible;
- (3) Provide a schedule for making the access modifications; and,
- (4) Identify the public officials responsible for implementation of the Transition Plan.

The Plan is required to be updated periodically until all accessibility barriers are removed.

Purpose.

The purpose of this plan is to ensure that the citizens of White County are provided full access to County programs and facilities in as timely manner as is reasonably possible. White County elected officials and staff believe the ability to accommodate disabled

persons is essential to good customer service, the quality of life White County residents seek to enjoy, and for effective government.

This Plan has been prepared after a careful study of White County’s programs and facilities. The County, in preparing this document, has received input from individuals at a public meeting as well as from the White County Board of Commissioners and County Personnel. The responsibility for the implementation of this plan will be the County ADA Coordinator.

Statement of Accessibility.

White County shall make reasonable modifications in programs and facilities when the modifications are necessary to avoid discrimination on the basis of disability, unless the County can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity. White County will not place surcharges on individuals with disabilities to cover the cost involved in making programs accessible.

Identify Physical Obstacles.

All county facilities will be reviewed for “baseline” conditions, including:

1. Access to parking and entry into the facilities themselves;
2. Access to a clear and distinct path of travel;
3. Access to programs and services themselves;
4. Access to public areas and restrooms; and,
5. Access to related amenities.

White County maintains roads and bridges in the unincorporated areas of the county, which are largely rural areas. All intersections and bridges are designed and maintained as governed by the Georgia Department of Transportation’s rules and regulations.

The following is a list of County property. An assessment of each of the County’s physical facilities will be conducted in conjunction with the execution of this Plan. Deficiencies in the County’s physical features of facilities that diminish the ability of disabled persons to benefit from the County’s services and facilities will be identified. A correction plan or other course of action will be noted for each deficiency, along with a schedule for completion of the correction in the Action Log which also follows.

FACILITY	YEAR BUILT	SQUARE FOOTAGE	ADDRESS
Courthouse	1964	22,400	59 A South Main Street Cleveland, GA 30528
Courthouse Bldg. B	1964	5,070	59 B South Main Street Cleveland, GA 30528
Cleveland Library	1980	6,124	60 North Bell Street Cleveland, GA 30528
Chamber of Commerce	1901	2,870	122 North Main Street Cleveland, GA 30528
Asbestos Road Park Complex	1988	16,478	327 Asbestos Road Cleveland, GA 30528
Historic Courthouse	1859	4,365	1 Courthouse Square Cleveland, GA 30528
Day Care (Former)	1958	4,365	342 Campbell Street Cleveland, GA 30528

Mauney Building	1997	20,512	1241 Helen Hwy Cleveland, GA 30528
Tax Commissioners Office *R	1950	2,496	113 North Brook Street Cleveland, GA 30528
Fire Station #2 *R	1988	3,900	7494 Duncan Bridge Road Cleveland, GA 30528
Fire Station #3	2007	4,250	33 Garland Bristol Road Sautee, GA 30571
Fire Station #4/EMS Substation	1992	4,575	1650 Westmoreland Road Cleveland GA 30528
Fire Station #5	1992	2,400	380 Shoal Creek Church Road Cleveland, GA 30528
Fire Station #6	1992	2,972	6449 Hwy 129 North Cleveland, GA 30528
Fire Station #7	1992	2,972	4149 Hwy 356 Cleveland, GA 30528
Administrative Building	1991	24,415	1235 Helen Hwy Cleveland, GA 30528
Senior Center *R	1998	10,000	1239 Helen Hwy Cleveland, GA 30528
Transfer Station	1994	4,800	670 Industrial Park Blvd. Cleveland, GA 30528
Testnatee Sports Complex	2006	1,932	111 Frank Meaders Drive Cleveland, GA 30528
Health Dept. / 9th District	1986	10,906	1331 Helen Hwy Cleveland, GA 30528
Animal Control Facility	2010	4,000	680 Industrial Blvd Cleveland, GA 30528
Road Department	2011	2,000	675 Truelove Road Cleveland, GA 30528
Current Jail	2012	40,000	1210 Hulsey Road Bldg. A Cleveland, GA 30528
Convenience Center	2011	1,000	519 Hulsey Road Cleveland, GA 30528

R* - These buildings have been renovated within the past five (5) years and meets ADA requirements as of the time of renovation.

Also, listed below are the county-owned or sanctioned* voting precincts in White County:

1. Blue Creek Baptist Church Fellowship Hall
2. Mt. Pleasant Methodist Church Fellowship Hall
3. Helen City Hall
4. Mossy Creek United Methodist Church Fellowship Hall
5. Cleveland First Baptist Church Fellowship Hall
6. Sautee Nacoochee Community Center
7. Center Baptist Church Fellowship Hall
8. Shoal Creek Baptist Church, Goodwill Circle Building
9. White County Park, Asbestos Road
10. Town Creek Baptist Church Fellowship Hall
11. Pioneer RESA Building

All voting precincts meet basic ADA requirements. Restroom facilities are available at all locations on election days.



Notice Under the Americans with Disabilities Act ADA POLICY STATEMENT

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (“ADA”), the White County Board of Commissioners, as governing authority for White County, Georgia will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: White County does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U. S. Equal Employment Opportunity Commission under Title I of the ADA.

Effective Communications: White County will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in White County's programs, services, and activities, including qualified sign language interpreters, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: White County will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcome in White County offices where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or modification of policies or procedures to participate in a program, service, or activity of White County, should contact Shanda Murphy, who serves as the White County ADA Coordinator, as soon as possible, but no later than 48 hours before the scheduled event.

The ADA does not require that White County take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service or activity of White County is not accessible to persons with disabilities should be directed to the ADA Coordinator.

White County will not place a surcharge on a particular individual with a disability or any group of individuals to cover the cost of providing auxiliary aids/services or reasonable modifications of policy.

GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of service, activities, programs, or benefits by the White County Board of Commissioners. The White County Rules and Regulations and Personnel Policies govern employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities, upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible, but no later than 60 calendar days after the alleged violation to:

Shanda Murphy, County Clerk
1235 Helen Hwy.
Cleveland, GA 30528

Within 15 calendar days after receipt of the complaint, the ADA Coordinator of White County or his/her designee will meet with the complainant to discuss the complaint and the possible resolution(s). Within 15 calendar days of the meeting, the ADA Coordinator or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, or audio tape. The response will explain the position of the White County Board of Commissioners and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the County Manager or his/her designee.

Within 15 calendar days after receipt of the appeal, the County Manager or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the County Manager or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA Coordinator or his/her designee, appeals to the County Manager or his/her designee, and responses from these two officials will be retained by White County for at least three (3) years. The written complaint and responses will be retained in the County Clerk/Human Resources Office.

ADA PLAN OF ACTION

Through this transition plan, the following will be addressed:

- a. identify physical obstacles in facilities that limit the accessibility of White County's programs, services, or activities to people with disabilities;
- b. describe in detail the methods White County will use to make the facilities accessible;
- c. provide a schedule for making the access modifications;
- d. provide a yearly schedule for making the modifications if the transition plan is more than one year long; and,
- e. indicate the name of the official who is responsible for implementing the transition plan.

County-owned facilities:

1. **Courthouse:** Sidewalk/accessible route needs repair: surface is cracked, broken, irregular and uneven, with excessive slope. There is an accessible ramp to the front door, but the sidewalk in front of the building is as noted. Parking for main building is adequate, but could use more accessible spaces and signage, unloading spaces.
2. **Courthouse Bldg. B:** parking has too much slope and very poor signage. Building "B" is not accessible, but there may be no reason for it to be, as the public no longer has any reason to use this building.
3. **Cleveland Library:** Non-compliant parking signage and marking. Neither sex's restrooms meet ADA requirements as to turning space or fixtures. Sidewalks have several trip hazards. No emergency lighting or signage.
4. **Chamber of Commerce:** Designated parking and ramps are ADA compliant. Bathroom fixtures meet ADA requirements, but are not wheelchair accessible. No emergency signage or lighting. This building is on the National Registry of Historic Buildings, so is not required to comply in the same way as newer construction.
5. **Asbestos Road Park Complex:** Ball fields are not handicap accessible. Handicap parking is acceptable in some areas but not at all acceptable in other locations- poor signage, parking space designation. Parking is inadequate. Bathrooms are fully compliant in some areas, but others have no accessible stalls or grab bars in place. The pool is accessible – with ADA compliant lift in place.
6. **Historic Courthouse:** Handicap ramp is in place but is blocked by a trash can. Restrooms are not ADA compliant. This building is on the National Registry of Historic Buildings and so is exempt from full compliance.
7. **Day Care (Former):** No handicap parking spaces or signage; building is accessible as to entry, but there is no reason at this time for the public to use this building.
8. **Mauney Building:** Parking in the upper level needs handicap signage, proper sized parking spaces and markings. Restrooms need handicap signage.
9. **Tax Commissioners Office:** Parking and ramps are in compliance. Men's and Women's restrooms are accessible. Exit doors are not illuminated and there is no emergency lighting.
10. **Fire Station #2:** No ADA compliant fixtures in the restroom (unisex). No designated handicap parking.
11. **Fire Station #3:** ADA Compliant.
12. **Fire Station #4/EMS Substation:** No designated handicap parking.
13. **Fire Station #5:** No ADA compliant parking.
14. **Fire Station #6:** No designated handicap parking. No illuminated exit at front door.
15. **Fire Station #7:** No designated handicap parking.
16. **Administrative Building:** ADA Compliant
17. **Senior Center:** ADA Compliant
18. **Transfer Station:** Does not have public restrooms or parking. Is accessible in terms of its usability by handicapped patrons.
19. **Testnatee Sports Complex:** ADA Compliant
20. **Health Dept. / 9th District:** No handicap-designated parking spaces, signage, unloading zones, etc. Accessible route to enter facility acceptable. Threshold at door exceeds the ADA maximum height of ½ ". Restroom door has a standard doorknob instead of the required lever-type of hardware.
21. **Animal Control Facility:** Restroom meets ADA requirements. Emergency lighting and signage in place. Needs handicap parking designation on asphalt and parking signage.
22. **Road Department:** Handicap parking is not available; the parking lot is gravel with no hard

surface for loading/unloading, no signage for handicap parking, and no designated handicap parking space. Restroom is ADA compliant.

23. Current Jail: ADA Compliant

24. Convenience Center: Does not have public restrooms or parking. Is accessible in terms of its usability by handicapped patrons.

County-owned or Sanctioned Voting Precincts:

1. Blue Creek Baptist Church Fellowship Hall: None
2. Mt. Pleasant Methodist Church Fellowship Hall: None
3. Helen City Hall: None
4. Mossy Creek United Methodist Church Fellowship Hall: None
5. Cleveland First Baptist Church Fellowship Hall: None
6. Sautee Nacoochee Community Center: None
7. Center Baptist Church Fellowship Hall: None
8. Shoal Creek Baptist Church, Goodwill Circle Building: None
9. White County Park, Asbestos Road: None
10. Town Creek Baptist Church Fellowship Hall: None
11. Pioneer RESA Building: None

Title II of the ADA at 28 CFR Section 35.150Id)(2) provides that, if a public entity has responsibility or authority over streets, roads, or walkways, its transition plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the ADA, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas.

Action Steps for Transition Plan

The action plan shall be executed as follows:

1. Identify staff and/or consultants to review each facility for compliance. The ADA/504 Coordinator should be the lead staff member in the development and implementation of the transition plan so that efforts to achieve and maintain accessibility can be effectively coordinated so that there is balance in the transition plan between programs and services, buildings and facilities, as well as pedestrian right-of-way facilities. An advisory group will assist the ADA coordinator in the development and implementation of the transition plan. White County may retain a consultant to assist with the transition plan, if deemed necessary.
2. Establish the public involvement process by which the disability community and others will participate. The advisory group/task force should also include private citizens or representatives of other agencies with various forms of disabilities, or who will be impacted by the transition plan to make sure all needs are considered.
3. Identify all facilities used by each of White County's programs and services. With respect to pedestrian right-of-way facilities in particular, include an inventory

and/or map of roads/streets, sidewalks, intersections that would need to be made accessible.

4. Map out the usage and specialized features of each county facility. This includes walkways and approaches to each facility from parking lots, bus stops and other transportation, doors and entrances, restrooms, vertical access (elevators and stairways), drinking fountains, play and picnic areas in parks, etc.
5. Choose a survey “tool” or list of standards. This must include evaluating for access by wheelchair users and other mobility-impaired people who would require the use of curb ramps. The recipient can also evaluate for access for visually, hearing and cognitively impaired people, if the transition plan also incorporates sidewalks, accessible pedestrian signals or other pedestrian facilities besides curb ramps.
6. Incorporate the White County’s capital improvement plans since new construction and planned alternations to pedestrian facilities may result in the incorporation of accessible features more easily and less expensively.
7. Identify funding and time frames.

Elements of the Transition Plan

Name, title, office address, phone number, and email address of White County official responsible for the coordination, development, and implementation of the Transition Plan:

Michael Melton, County Manager
1235 Helen Hwy, Cleveland, GA 30528
mmelton@whitecounty.net

Advisory committee members’ names, titles, and addresses:

Michael Melton, County Manager, 1235 Helen Hwy Cleveland, GA 30528
Tom O’Brvant, Dir. of Community & Economic Dev’l, 1241 Helen Hwy Cleveland, GA 30528
Shanda Murphy, HR Director / Co. Clerk, 1235 Helen Hwy Cleveland, GA 30528

Schedule or work plan for steps to be taken to develop and implement White County’s Transition Plan:

In as much as all areas are relatively minor, the implementation should be completed within 6-12 months. Funding to be used will come from Department budgets that are responsible for each facility.

-End of Resolution-

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Goodger there was a unanimous vote to adopt the following resolution, thereby amending the White County Alcohol Ordinance:

WHITE COUNTY BOARD OF COMMISSIONERS

RESOLUTION NO. 2013- 19

A RESOLUTION TO AMEND THE OFFICIAL CODE OF WHITE COUNTY, GEORGIA, CHAPTER 6, ALCOHOLIC BEVERAGES, ARTICLE IV REGULATIONS SPECIFICALLY AFFECTING RETAIL PACKAGE DEALER, RETAIL CONSUMPTION DEALER, WHOLESALER, MANUFACTURER AND CATERERS OF WINE AND MALT BEVERAGES, DIVISION 2 LICENSE FEES, SECTION 6-103, FEES.

WHEREAS, the White County Board of Commissioners wishes to revise a portion of the Official Code of White County as it relates to the Alcoholic Beverage regulations;

NOW THEREFORE, BE IT RESOLVED by the County Commissioners of White County and it is hereby resolved by authority of the same that the regulations be revised as follows:

Sec. 6-103. Fees.

(a)The board shall establish license fees for each category of license specified in section 6-102 by a schedule of fees passed by resolution adopted from time to time by the board of commissioners in a public meeting.

(b)A schedule of the currently authorized fees shall be available for reference in the office of the county clerk.

(c) ~~on or after October 1 shall be 35 percent of the annual rate.~~ In the event that an application is for less than a calendar year period, the license fee shall be prorated down to the current month,

The effective date of this amendment shall be November 15, 2013.

ADOPTED, this 15th day of November, 2013.

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/Shanda Murphy

Shanda Murphy, County Clerk

-End of Resolution-

Mr. Melton presented the quotes obtained for renovations to the White County Administration Building. There was a consensus of the Board that each item should be awarded to a different local contractor, the low bidder in each portion, in order to get the best price for the total project.

Upon a motion made by Commission Bryant, seconded by Commissioner Holcomb there was a unanimous vote award the following, with projects to be paid from SPLOST:

- Garage Door Installation for Coroner’s Office to Precision Metal Building, Inc. in the amount of \$11,520.00;
- Double Door Installation in Lobby to Simco, Inc. in the amount of \$4,3654.00; and
- Construction / Installation of the platform and desk in the Board Room to Scroggs and Grizzel, Inc. in the amount of \$9,330.00.

----- For a total award of \$25,204.00 paid from SPLOST.

Upon a motion made by Commissioner Goodger, seconded by there was a unanimous vote to approve a memorandum of understanding (MOU) with the International Mountain Bicycling Association / Southern Off-Road Bicycle Association, Inc. (SORBA) for the development and maintenance of mountain bike and multi-use trails in White County. With the MOU to specifically allow SORBA the opportunities to seek grant funding for trail development and maintenance on the former OTP Property.

Commissioner Goodger provided an update on the status of the Event Park Project. He stated the RFP responses had been received, reviewed, and scored – with a best and final offer to be presented to the Board of Commissioners at their November 25, 2013 meeting. Commissioner Goodger also presented his ideas for a naming contest for the park facility as well as for the design of a County flag.

Upon a motion made by Commissioner Bryant, 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-

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).

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 Nix, seconded by Commissioner Goodger there was a unanimous vote to adjourn the Called Meeting.

The minutes of the November 15, 2013 Called Meeting are hereby approved as stated this 25th day of November, 2013.

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