

**WHITE COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF THE WORK SESSION HELD**

**MONDAY, SEPTEMBER 29, 2014**

*The purpose of the work session is to discuss agenda items for the Regular Meeting to be held Monday, October 6, 2014 at 4:30 p.m.*

The White County Board of Commissioners held a Work Session on Monday, September 29, 2014 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, Finance Director Vicki Mays, and County Clerk Shanda Murphy.

MR. CRAIG MCDONALD TO APPEAL A VARIANCE DEFERRED BY THE WHITE PLANNING COMMISSION REGARDING MINIMUM LOT SIZE REQUIRED BY COUNTY CODE CHAPTER 30 (ENVIRONMENT) ARTICLE VIII (STANDARDS & REGULATIONS FOR PROTECTION OF MOUNTAINS & HILLSIDES) DIVISION 6 (GENERAL DEVELOPMENT STANDARDS) SECTION 30-259 (MINIMUM LOT SIZE & WIDTH) FOR THE LAKEVIEW AT LACEOLA SUBDIVISION.

Mr. Tom O'Bryant, Director of Community & Economic Development, presented summary information to the Board of Commissioners concerning Mr. Craig McDonald's appeal of the Planning Commission's decision on a variance related to minimum lot size required by County Code Chapter 30 (Environment) Article VIII (Standards & Regulations for Protection of Mountains & Hillside) Division 6 (General Development Standards) Section 30-259 (Minimum Lot Size & Width) for the Lakeview at Laceola Subdivision. Mr. O'Bryant explained that of the fifteen (15) total lots that six (6) did not meet the minimum lot size requirements - under the Mountain & Hillside Protection Ordinance which the development fell. He indicated that the preliminary plat was first submitted in 2002 and renewed in 2007, however had not been submitted for final approval by the developer until this time. He further stated that the Planning Commission had approved the variance request with the stipulation that lot lines would be moved to bring each lot within ½ acre of the required lot size based on the lot slope.

Chairman Turner asked Mr. O'Bryant to review the general guidelines of the Mountain Protection Ordinance. Mr. O'Bryant stated the current regulations were adopted in 2005-2006 which was a slope based ordinance. He stated that prior to this the Georgia Department of Community Affairs (DCA) released environmental regulations for properties at 2200 feet elevations and greater – which only effected 2-4% of land in White County outside of the national forest lands. Due to the large majority of land being unprotected under the DCA environmental requirement the Board of Commissioners, at the time, wanted a view shed protection and this led to a slope based (25% or more) ordinance that also addressed erosion and storm water concerns – through a four category system which determines lot size based in slope.

September 29, 2014 – Work Session Minutes (continued)

Mr. Craig McDonald stated that when Lake Laceola was constructed he lost 32 acres of land as the dam had to be on his property. He had been waiting for the developer to bring both utilities and pavement to his portion of the development – which had taken much longer than anticipated due to several different issues, although he had the road graded over eight (8) years ago and had the lots pinned off. He stated that because the road was already constructed, moving lot lines would be very difficult. He also informed the Board that the soils for each lot had also been previously approved by Environmental Health for septic requirements, although these would still require inspection before final approval. Mr. McDonald stated that over 20% of the lots previously sold within the Lake Laceola development have greater slopes than the lots he is proposing.

Chairman Turner asked that at a future Work Session – that there be discussion regarding the State standards for elevation protection in comparison to current County regulations in order evaluate if the County regulations could more closely resemble the State standards while also protecting the aesthetic nature of our area.

There was a consensus that this appeal would be placed on the October 6, 2014 Regular Meeting Agenda.

MR. KEVIN HAMBY, SPLOST MANAGER, TO REVIEW THE SPLOST LAW APPLICABLE TO THE COUNTY'S 2014 SPLOST – EFFECTIVE OCTOBER 2014.

Mr. Hamby stated that the average monthly revenue for the current SPLOST was \$280,000.00. The first of seventy-two (72) checks for the 2014 SPLOST would be received in December 2014, with the program being based on \$263,000.00 per month equal to a total conservation revenue estimate of \$19,000,000.00. He explained that the 2014 SPLOST would fall under the “new SPLOST” law which would require more accountability. It was clarified that the January 2015 jail construction bond payment would be paid from the current SPLOST due to cash flow with the new SPLOST and following that payment there would be approximately \$1,000,000.00 left in the current SPLOST program.

CHIEF SUPERIOR COURT JUDGE MURPHY MILLER, TO DISCUSS THE WHITE JUVENILE COURT PILOT PROGRAM FOR INDIGENT DEFENSE.

Chief Superior Court Judge Murphy Miller presented details to the Board of Commissioners on a proposed pilot program to change the manner in which indigent defense is provided in Juvenile Court, to hopefully contain costs associated with providing the representation required by law for the multiple parties involved in abuse and neglect cases. The pilot program would involve a qualified panel selecting four (4) attorneys to be paid a flat fee based on \$45,000.00 per year per attorney to be designated to provide indigent representative in Juvenile Court throughout the Enotah Circuit. The pilot would run for the last quarter of 2014 in White County at a cost of \$11,250.00, after which time the program would be evaluated. He stated that White County had the highest number of applicable cases in the Enotah Judicial Circuit. Judge Miller stated the hope in the program is that it would provide the required representation and allow the counties a more definite expense for budgeting purposes.

September 29, 2014 – Work Session Minutes (continued)

There was a consensus that approval of this item would be placed on the October 6, 2014 Consent Agenda.

DISCUSS THE 2015 GRANT APPLICATION FOR THE APPALACHIAN DRUG TASK FORCE FOR FUNDING THROUGH THE CRIMINAL JUSTICE COORDINATING COUNCIL.

Appalachian Drug Task Force Commander Mitch Posey requested the Board's approval for the grant application to the Criminal Justice Coordinating Council for funding of the Appalachian Drug Task Force for 2015, with White County continuing to serve as the host county.

There was a consensus that approval of this item would be placed on the October 6, 2014 Consent Agenda.

DISCUSS THE CITY OF CLEVELAND'S NOTICE OF INTENTION TO ANNEX .88 ACRE +/- OWNED BY WOODSONS, INC. IN LAND LOT 41 OF THE 2<sup>ND</sup> LAND DISTRICT OF WHITE COUNTY – IDENTIFIED BY PARCEL NO. 048A 035 (VACANT LAND) AND PARCEL NO. 048A 034 (COMMERCIAL BUILDING).

Mr. Melton presented the notice of intention of annexation submitted by the City of Cleveland and stated this was being done by the 100% annexation method, the County Attorney had reviewed, and there are no concerns.

There was a consensus that approval of this item would be placed on the October 6, 2014 Consent Agenda.

DISCUSS A PROPOSED AUTOMATIC AID AGREEMENT FOR FIRE SERVICES WITH HABERSHAM COUNTY.

Mr. David Murphy, Director of Public Safety, presented a proposed Automatic Aid Agreement for Fire Services with Habersham County. He stated that through research an automatic aid agreement with Habersham had been established in the 1980's however the departments had not been operating under the agreement; therefore this agreement would supersede any prior agreements. Mr. Murphy confirmed that this agreement could possibly help some county residents lower their ISO rating within the covered areas.

There was a consensus that approval of this item would be placed on the October 6, 2014 Consent Agenda.

DISCUSS BIDS RECEIVED FOR CONSTRUCTION OF A SALT BARN AT THE WHITE COUNTY ROAD DEPARTMENT.

Mr. Melton presented the bids as received for the construction of a salt barn at the White County Road Department. There was a consensus that the costs exceeded what the Board had anticipated for the 1,200 square foot structure; therefore the item would be tabled at this time.

September 29, 2014 – Work Session Minutes (continued)

DISCUSS BIDS RECEIVED FOR PAVING OF MILL LANE.

Mr. Melton presented the bids as received for the paving of Mill Lane, with the low bidder being Colditz Trucking at \$35,474.00. There was a consensus that this project would be considered at a future time for paving in 2015 which would possibly require the project to be re-bid and no action would be taken on this item at this time.

DISCUSS THE CHANGE ORDER FOR COLWELL CONSTRUCTION FOR THE CONTRACT APPROVED SEPTEMBER 5, 2014 RELATED TO IMPROVEMENTS TO EIGHT (8) COUNTY ROADS.

Mr. Melton asked that the list of roads to be paved in this contract be reaffirmed by the Board. It was confirmed that Lynch Mountain Road would be removed from the contract and would not be paved at this time – thereby leaving the following seven (7) roads on the Colwell Construction Contract: Apricot Drive, Mt. Pleasant Church Road (designated portion), Gus Abernathy Road, Gene Nix Road (designated portion), Virgil Hunt Road (designated portion), May White Road, and Rabun Road.

When recognized by Chairman Turner, thirteen people identified by the showing of their hand that they were attending the meeting in support of the paving of Gene Nix Road.

Commissioner Bryant clarified that the Board had previously decided to prep the entire length of Gene Nix Road for plans of paving the full length of the road.

Mr. Melton explained that the contract approved on September 5, 2014 needed to be amended to reflect the paving to be done in 2014 (with removal of Lynch Mountain Road) separate from the paving to be done in 2015.

There was a consensus that this item would be placed on the voting portion of the October 6, 2014 Regular Meeting in order for the amended contract to be approved.

DISCUSS ADDENDUM #1 FOR THE FY 2015 CONTRACT WITH LEGACY LINK FOR NUTRITION PROGRAM SERVICES AT THE WHITE COUNTY SENIOR CENTER.

Mr. Melton presented the addendum for the FY 15 contract with Legacy Link. He confirmed that this addendum was providing additional funding to the nutrition program services at the White County Senior Center.

There was a consensus that approval of this item would be placed on the October 6, 2014 Consent Agenda.

DISCUSS BIDS RECEIVED FOR TWO (2) CERTIFICATES OF DEPOSIT.

Chairman Turner review the bids received for two (2) CD's – both currently held at United Community Bank (\$642,150.00 & \$33,100.00). He indicated that United Community Bank provided the highest interest rate at .15%.

September 29, 2014 – Work Session Minutes (continued)

There was a consensus that award of these CD's to United Community Bank for a twelve (12) month term would be placed on the October 6, 2014 Consent Agenda.

DISCUSS BIDS RECEIVED FOR THE NEW SPLOST ACCOUNT.

Chairman Turner reviewed the identical bids received from United Community Bank and Mountain Valley Community Bank.

There was a consensus that the award to the new SPLOST Account being made to Mountain Valley Community Bank would be on the Consent Agenda for the October 6, 2014 Regular Meeting.

DISCUSS UTILIZATION OF POOLED CASH PROCEDURES FOR SEPARATE COUNTY FUNDS.

Ms. Vicki Mays, Finance Director, presented information regarding options for utilizing pooled cash procedures where multiple bank accounts now exist which would be a more efficient process and would still allow for the associated funds to be maintained separately on the financial statements. She recommended the pooled cash procedures for the following separate accounts: E/911, DARE, and Solid Waste. Ms. Mays stated that the auditors were in agreement with this procedure change.

There was a consensus that implementation of pooled cash procedures for these accounts would be placed on the Consent Agenda for the October 6, 2014 Regular Meeting.

DISCUSS ESTABLISHING USER FEES FOR EVENTS HELD AT FREEDOM PARK.

Ms. Shanda Murphy, County Clerk, presented information she had gathered at Commissioner Goodger's request related to surrounding Cities and Counties with venues similar to Freedom Park and fees associated with uses those facilities.

The gratuities clause of the Georgia Constitution was briefly discussed in that Counties could not provide a benefit (use of the park) were there was not a direct benefit to the County and how this relates to the use of the facility by for-profit entities.

Commissioner Goodger explained that he wanted the Board to evaluate a fee structure for use of Freedom Park by for-profit / private entities – not a fee structure for non-profits which provide a benefit to the community.

There was a consensus that the Board was not ready to make a decision on this issue at this time; however with the information presented this would be a starting point on the discussion of the issue.

September 29, 2014 – Work Session Minutes (continued)

DISCUSS PROPOSED AMENDMENTS TO THE WHITE COUNTY PERSONNEL MANAGEMENT SYSTEM RELATED TO IMPLEMENTATION OF TWENTY-FOUR (24) HOUR STAFF.

Ms. Murphy presented a proposal to the Board for revisions to the employee vacation leave policy, the sick leave policy, and the holiday pay policy relative to the addition of 24 hour shift staffing of the fire department. She stated that these changes would provide equitable vacation & sick leave for those working a 24 hour shift, as well as limit the number of hours of holiday pay to 12 hours per holiday – as the current policies do not relate to 24 hour staff.

Following discussion of the 24 hour staffing schedule there was a consensus that this issue would be placed on the voting portion of the October 6, 2014 Regular Meeting agenda.

REVIEW THE AGENDA FOR THE OCTOBER 6, 2014 REGULAR MEETING.

The agenda for the October 6, 2014 Regular Meeting was reviewed.

Following the Work Session, the Board of Commissioners entered into a Called Meeting.

The minutes of the September 29, 2014 Work Session were approved by the White County Board of Commissioners.

October 6, 2014

s/Shanda Murphy  
Shanda Murphy, County Clerk