

WHITE COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE WORK SESSION & CALLED MEETING HELD

MONDAY, AUGUST 31, 2015 AT 4:30 P.M.

The White County Board of Commissioners held a Work Session and Called Meeting on Monday, August 31, 2015 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, County Attorney Bill House, Finance Director Vicki Mays, and County Clerk Shanda Murphy.

Chairman Turner called the meeting to order.

Following the Pledge of Allegiance, Reverend Tim Morgan of the Faith Lutheran Church and The 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 Public Hearing held July, 23, 2015, the Work Session / Called Meeting / Public Hearing held July 27, 2015, the Called Meeting held August 5, 2015 (included Executive Session Minutes), and the Public Hearing / Called Meeting held August 14, 2015.

Mr. Greg Supianoski, Executive Director of the J.A. Walters YMCA, introduced Mr. Chris Parker, the new White County YMCA Sports Director to the Board of Commissioners.

Mr. Neal McClean addressed the Board regarding the request for funds for repair of Daybreak Road, as well as an annual usage fee to cover all future usage. He stated that Daybreak Road is a private road which the county uses to access an emergency communications tower. He stated that equipment used to add sections to the tower in the spring of 2014 damaged the road. He presented estimates in the total amount of \$17,075.00 (first estimate) and \$10,200.00 (second estimate) and proposed an annual usage fee of \$3,500.00 (+ 10% each year). Mr. McClean stated that currently the Homeowner's Association annual fees for property owners along Daybreak Road are \$125.00 for residential properties and \$100.00 for vacant lots. Mr. David Murphy, Director of Public Safety stated that he was notified of the road damage a few months after the work was done on the tower site. Mr. Murphy stated that the County had entered into a lease with Windstream (formally Alltel) for use of the tower site in 2004. Mr. Melton stated that the lease provided access to White County for the tower site through Daybreak Road. Mr. Bill House stated that the County's access granted via the lease agreement through Daybreak Road was questionable, although the County does have clear access through a logging road on the opposite of Long Mountain – however the other road is not accessible for travel. Mr. McClean stated that he was aware of the tower's location and the county's access when he purchased the property. He further stated that the issue was just now being brought before the County because ownership of the road had to be established.

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Chairman Turner asked that the issue of repairs be addressed by the Board first. Mr. House stated that there is possibly a legal defense for the County to be liable for the repair costs, due to the request for payment not being brought to the County within one (1) year of the damage. Mr. House stated that the County should certainly not go onto the private property to do the repairs. There was a consensus of the Board that Mr. Terry Palmer, Public Works Director, could review the damage and the estimates in order to determine if the estimates were reasonable.

Upon a motion made by Commissioner Nix, seconded by Commissioner Goodger there was a unanimous vote to table the request for funds for repairs to Daybreak Road until the County Staff could review damage and the estimates provided by Mr. McClean.

On the second issue of the annual usage fee, Chairman Turner stated that he could not agree to the \$3,500.00 fee as that did not seem reasonable as the County was only accessing the site approximately once or twice per month. Mr. McClean stated that Crown Castle, who also has towers in the same area pay \$1,800.00 per year – however that agreement was over 20 years old when the road was gravel and Georgia Power pays \$250.00 per year for access. Mr. McClean stated that the homeowner's association had just started collecting those fees this year because the fees had previously been paid to the original developer – Mr. Larry Adams.

Upon a motion made by Commissioner Nix, seconded by Commissioner Goodger there was a unanimous vote to also table the issue of the annual road usage payment to the homeowner's association until the County Staff was able to provide the information on the repairs.

Mr. Stephen Dalin, 444 Stonebrook Trail Cleveland, GA expressed his concern to the Board of Commissioners regarding the discharge of firearms in residential areas of unincorporated White County. Mr. Dalin referenced a recent incident off Hwy 129 South where a resident discharged a gun while target practicing into another house, narrowly missing a member of the household. He stated that he had spoken to the White County Sheriff's Office and that unless the gun was being shot directly at you, the Sheriff's Office could not do anything about someone firing a gun in a residential area. Mr. Dalin said his homeowners association was not active and did not have any covenants which restricted discharging firearms; however often times he was concerned for those outside his subdivision as well when guns were fired in their direction. He asked the Board to consider adopting an ordinance to prohibit the discharge of guns in residential areas. Sheriff Neal Walden stated that his officers assess each situation on a case by case basis in order to determine if the firearm is being discharged in a negligent manner and if negligence is determined his officers will make a case against. Chairman Turner encouraged Mr. Dalin to work with his homeowner's association – as it would be difficult for the Board of Commissioners to pass and enforce an ordinance limiting the discharge of weapons beyond what state law allows.

Mr. Chad Knott, representing William and Donna Sue Scarbrough owners of 26 Carolina Springs Road (terminus of southern portion of Carolina Springs Road and intersection of Helen Hwy). He stated that the Scarborough's were requesting the county abandon a portion of Carolina Springs Road in light of the county having been awarded grants funds from an employment incentive program through the Georgia Department of Community Affairs for the paving of the northern end of Carolina Springs Road precipitated by the opening of Black Bear Lodge (Foundations Recovery Network) off of Carolina Springs Road and in order to improve

access to the treatment facility. Mr. Knott stated that he did not believe there was another business in White County with the number of employees and the size of Black Bear Lodge which had access from a dirt road – which made this situation unique. He stated that approximately 400 people per day were coming to and from this access point. Mr. Knott stated that the Scarborough's property was the only property with direct access from this southern portion of Carolina Springs Road from Helen Hwy to Black Bear Lodge; therefore the abandonment is requested to take place once the northern portion of Carolina Springs Road is paved. He stated that the county's right of way was prescriptive and was 30'. Mr. Knott indicated that the Sheriff's Office had been called several times due to nuisances from Black Bear clients to the tenants on the Scarborough property – as the current location of Black Bear signage adjacent to the Scarborough's property does cause a lot of confusion on the business's location. Mr. Knott stated that since Black Bear participated in the application for grant funds – they must have been aware of potential plans to pave the road when they expended funds for current signage. There was a consensus of the Board that the Duncan Bridge Road access to Carolina Springs Road was safer than the entrance on Helen Hwy. Chairman Turner made mention of another public access to Carolina Springs Road off of Helen Hwy, just north of the access being petitioned for abandonment. Mr. Knott stated that the abandonment would not be desired until after the Duncan Bridge access was paved. Chairman Turner presented a letter written by Black Bear Lodge opposing the abandonment of the Helen Hwy access. Mr. Melton explained that in the grant application process, cost was the determining factor in selecting the portion of Duncan Bridge Road to Dawn Way for paving as there would be costly engineering, construction, and storm water infrastructure required to pave the Helen Hwy. to Dawn Way section of Carolina Springs Road due to the challenges at the intersection of Helen Hwy and Carolina Springs Road – which made paving that portion not feasible under the grant.

Commissioner Goodger recommended that the Board revisit this request after the road paving was complete in order to consider the change of traffic patterns.

Mr. Knott stated that in his opinion it would be negligible for the county and Black Bear Lodge to have applied for the federal funds based on Black Bear's location on Carolina Springs Road and not to expect that their employees and patients would utilize the paved access, however to instead grant continued access through the unpaved, narrower, gravel portion of the road.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Bryant there was a unanimous vote to table the consideration with proceeding with the petition of abandonment of a portion of Carolina Springs Road (Helen Hwy to Dawn Way) until the paving project was complete on the northern portion of Carolina Springs Road (Duncan Bridge to Dawn Way).

Chairman Turner asked that County Staff notify Mr. Knott – in the interest of his client – when this issue is brought back before the Board of Commissioners and he asked that information regarding the viability of the secondary access to Carolina Springs Road from Helen Hwy.

Mr. Melton presented the monthly SPLOST Status Report (see attached).

Sheriff Neal Walden presented a request to the Board of Commissioners for SPLOST funds to purchase \$40,208.00 in equipment – to include 14 Tasers (\$17,000.00), two (2) light bars

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(\$1,430.00), four (4) in car video cameras (\$20,128.00), and three (3) bulletproof vests (\$1,650.00). In addition Sheriff Walden requested \$1,298.34 in additional SPLOST funds to cover the remainder of the purchase of two (2) 2016 Ford Explorers. Sheriff Walden expressed the importance of providing the Tasers as an alternative to deadly force for the officers to utilize after all other means were exhausted.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Holcomb there was a unanimous vote to approved 2014 SPLOST Funding in the amount of \$41,506.24 for purchase of the following equipment for the White County Sheriff's Office –14 Tasers (\$17,000.00), two (2) light bars (\$1,430.00), four (4) in car video cameras (\$20,128.00), three (3) bulletproof vests (\$1,650.00), and \$1,298.34 in additional SPLOST funds to cover the remainder of the purchase of two (2) 2016 Ford Explorers. Chairman Turner stated that he wanted to remind everyone that \$200,000.00 was allocated to the Sheriff's Office in the 2014 SPLOST – which was for a period of six (6) years (\$118,020.00 approved from 2014 SPLOST to date less than one (1) year into the six (6) year SPLOST).

Chief Deputy Bob Ingram made a presentation to the Board of Commissioners regarding the White County Sheriff's Office challenge in retaining employees – specifically as it related to compensation and employee turnover. Chief Ingram outlined the hiring process at the Sheriff's Office and his calculation that the cost to get a sworn position to five (5) years of employment was \$155,742.60 (including recruitment, training, travel, equipment, etc.) – demonstrating how costly employee turnover is the department in addition to the loss of experience. Chief Ingram stated that only 18 of 78 employees have at least ten (10) years of experience. A revision in compensation, based on longevity, was recommended as well as an adjustment in the starting pay for sworn positions.

Chairman Turner reviewed a salary survey done by Human Resources of surrounding counties that demonstrated that White County's starting pay was comparable as well as a chart detailing adjustments made to the Classification / Compensation Plan since 2004 (increases given in six (6) out of (10) ten years). He stated that retention was a challenge across all county departments. Chairman Turner asked that Sheriff Walden, Chief Ingram, Ms. Shanda Murphy, and Mr. Michael Melton set up a meeting to review the information presented and the County's compensation program. Commissioner Nix spoke in favor of merit based increases. Commissioner Holcomb stated that he does realize the complexity of the work done by the Sheriff's Office employees.

Following a brief recess, the meeting reconvened.

Mr. Melton presented a professional services agreement with KCI Technologies for the engineering work related to the Employment Incentive Program (EIP) / Community Development Block Grant (CDBG) funded project for the paving of a portion of Carolina Springs Road (Duncan Bridge Road to Dawn Way). He explained that the County would be responsible for the engineering and permitting costs outside of the \$358,000.00 grant for construction. The agreement with KCI was for \$89,387.28 which included engineering and permitting. Commissioner Nix stated that he was concerned about the cost.

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Upon a motion made by Commissioner Goodger, seconded by Commissioner Bryant there was a vote to approve the professional services agreement with KCI Technologies for the engineering / permitting work related to the Employment Incentive Program (EIP) / Community Development Block Grant (CDBG) funded project for the paving of a portion of Carolina Springs Road (Duncan Bridge Road to Dawn Way) in the amount of \$89,387.28. Chairman Turner voted in favor of the motion with Commissioner Holcomb and Commissioner Nix opposing the motion. Motion passed by a 3-2 vote.

Mr. Melton presented the bids received for phase one of the proposed 2016 paving projects including the setting of base and paving seven (7) county roads (a portion of Mtn. Pleasant Church Road, a portion of Gene Nix Road, Yonah Valley Road, Barrett Mill Road, Shuler Road, Hefner Road, and Grover Miles Road) and the leveling & resurfacing of Mill Lane. The low bidder for the 2016 Phase 1 Paving Project was Allied Paving at \$895,470.50. There was a consensus that Mill Lane (\$68,889.00) and the dead end portion of Yonah Valley Road (\$29,497.00) should be removed from the list at this time – with Commissioner Nix to meet with Mr. Terry Palmer of the White County Road Department to review the bid for Mill Lane in detail. Mr. Palmer stated that the road needed to be leveled in addition to paving in order for the pavement to hold in place more than a few years. These changes would bring Allied Paving's bid to \$797,084.50.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Goodger there was a unanimous vote to approve a contract for base and paving seven (7) county roads for spring 2016 (a portion of Mtn. Pleasant Church Road, a portion of Gene Nix Road, and Yonah Valley Road (not dead-end portion), Barrett Mill Road, Shuler Road, Hefner Road, and Grover Miles Road), with Allied Paving in the amount of \$797,084.50 to be funded by 2014 SPLOST – with the leveling and resurfacing of Mill Lane to be considered at a later date.

Mr. Mike Allen, Yonah Valley Road, expressed his appreciation to the Board of Commissioners.

Upon a motion made by Commissioner Nix, seconded by Commissioner Holcomb there was a unanimous vote to approve the preliminary design presented by Carter & Sloope Engineering for the relocation of the Armed Services Monument from the front of the White County Courthouse to Freedom Park.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Goodger there was a unanimous vote to award the renewal of two (2) certificates of deposits currently held at United Community Bank - \$644,200.00 & \$33,100.00 to United Community Bank for a 12 month term at .15%.

Upon a motion made by Commissioner Nix, seconded by Commissioner Bryant there was a unanimous vote to approve the 2016 Safety Verification Forms for Worker's Compensation and Liability Insurance coverage through ACCG – thereby making White County eligible for a safety discount in the amount of approximately \$25,000.00 by meeting the required guidelines.

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

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Mr. Melton stated that the Road Department was falling behind on routine maintenance with the current construction projects which are already in place. He stated that it was his recommendation to look at alternatives for the road construction projects and possibly outsourcing the construction prep work currently being done by the county road department – with the road department to focus on the maintenance that they have in the past. Mr. Terry Palmer, Public Works Director stated there are approximately 28 work orders which have been put aside to a future date due to not having the resources to get to each issue and maintenance on existing roads is falling further and further behind (mowing, scraping, patching, etc.). Chairman Turner asked that Mr. Melton and Mr. Palmer present a proposal to the Board of Commissioners at a future date for addressing the workload backlog at the White County Road Department. Mr. Melton stated that the current proposal is to outsource all road construction and allow the road department to continue to handle all maintenance. There was a consensus that in a couple of weeks a Called Meeting would be held to discuss this issue and any other road related issues.

Chairman Turner opened the floor for citizen participation.

Mr. Jimmy O’Neil encouraged the Board to consider a future millage increase it that was what is necessary to retain employees and give the road department the resources needed to adequately maintain county roads. He stated that not running a functional organization due to being overly concerned with being conservative was not truly being conservative.

Ms. Judy Lovell of the White County Historical Society provided an update on the recent historic survey in White County. She stated the survey was complete with 122 historic locations being identified in White County and they were now waiting to receive a copy of the survey which would be reviewed and passed along to the Board of Commissioners.

Ms. Carol Miller of Adair Mill Property Owner’s Association asked to be notified of any meeting regarding Mill Lane. Ms. Shanda Murphy, County Clerk, assured her that she is listed in the email distribution listing which receives all meeting notices & agendas.

Mr. Jerry Carpenter, 175 Mill Lane Cleveland, GA expressed his concern about a drainage issue on Mill Lane. Commissioner Nix stated he would be happy to meet with Mr. Carpenter and look at the section of road he was referencing.

Following announcements and upon a motion made Commissioner Holcomb, seconded by Commissioner Bryant there was a unanimous vote to adjourn the meeting.

The minutes of the August 31, 2015 Work Session & Called Meeting are hereby approved as stated this 5th day of October, 2015.

WHITE COUNTY BOARD OF COMMISSIONERS

s/Travis C. Turner
Travis C. Turner, Chairman

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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