

**WHITE COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF THE REGULAR MEETING HELD**

**MONDAY, JANUARY 5, 2015 AT 4:30 P.M.**

The White County Board of Commissioners held a Regular Meeting on Monday, January 5, 2015 at 4:30 p.m. in the Board Room of 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, Mr. Dean Dyer provided the invocation.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Goodger there was a unanimous vote to approve the minutes of the December 1, 2014 Regular Meeting and the December 9, 2014 Called Meeting.

Mr. Tom O'Bryant, Director of Community & Economic Development made a presentation on the home based business section of the draft land use plan (see attached). Mr. O'Bryant reviewed proposed changes to the draft ordinance that had been discussed prior to the meeting.

Following the presentation, there was a consensus that the following additional changes should be made:

- Delete the item which addresses operating hours (Section 705 Operational Standards, #1);
- Develop a standard that bases the number of accessory buildings allow on lot size; and
- Change the notification section (Section 708) to allow for notification to be with a posted sign.

Mr. O'Bryant stated that he is continuing to work on finalizing the procedures and forms for the administration of the ordinance. He stated these would be finalized by the January 26, 2015 Commission Meeting. Chairman Turner stated that he wanted to have a first reading of the ordinance on January 26, 2015 followed by a public hearing within the required timeframe (15 to 45 days). The date of February 19, 2015 at 4:30 was set for the public hearing on the presentation and adoption of a Land Use Ordinance.

Mr. O'Bryant stated the Employment Incentive Program (EIP) Grant was directed to infrastructure improvements needed for economic development – with this project being tied to The Recovery Network / Black Bear Lodge opening and expanding their location in White County. He stated that the fiber optic project had been removed from the grant application with the total grant application being for the amount of \$358,501.00.

January 5, 2015 – Regular Meeting Minutes (continued)

Upon a motion made by Commissioner Goodger, seconded by Commissioner Holcomb there was a unanimous vote to adopt the following a revised resolution for the Employment Incentive Program (EIP) Grant related to improvements to Carolina Springs Road.

***RESOLUTION***

WHEREAS, White County is duly constituted under the laws of Georgia; and,

WHEREAS, in every case it is the intention of the White County to develop opportunities for the public good and the general welfare of the citizens of White County and the State of Georgia; and,

WHEREAS, the proposed road improvements project will help to bring new jobs and private investment to White County; and,

WHEREAS, the financing of the project through the Community Development Block Grant–Employment Incentive Program (CDBG-EIP) funding is critical to adequately addressing the needs of White County residents; and,

WHEREAS, White County desires to use the services of the Georgia Mountains Regional Commission for the Application Preparation and General Administrative Services; and,

NOW, THEREFORE, BE IT RESOLVED, by White County that the County will seek Community Development Block Grant- Employment Incentive Program assistance from the Georgia Department of Community Affairs as a necessary funding component for this project and that Chairman Travis Turner is authorized to sign this Resolution and all related documents in the pursuit of this grant funding.

DONE this 5th day of January 2015

WHITE COUNTY

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

ATTEST: s/Shanda Murphy  
Shanda Murphy, County Clerk

Upon a motion made by Commissioner Nix, seconded by Commissioner Holcomb there was a unanimous vote to re-elect Commissioner Craig Bryant as the Vice-Chair of the Board of Commissioners.

Mr. Terry Palmer, Director of Public Works, presented the bids to the Board for the leveling and resurfacing of 3.57 miles of Paradise Valley Road. He stated that the Georgia Department of Transportation would be funding \$293,367.99 of the project through the Local Maintenance and Improvement Grant (LMIG).

Upon a motion made by Commissioner Nix, seconded by Commissioner Goodger there was a unanimous vote to award the leveling and resurfacing of 3.57 miles of Paradise Valley Road to

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the low bidder Allied Paving in the amount of \$417,022.00 – with the County’s cost of \$123,654.01 being taken from the 2008 SPLOST.

Mr. Terry Palmer presented the bids received for the leveling and resurfacing of 2.35 miles of Asbestos Road beginning at Alternate 75 and ending at Joe Black Road.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Goodger there was a unanimous vote to award the leveling and resurfacing of 2.35 miles of Asbestos Road to the low bidder CW Matthews in the amount of \$259,000.63 to be paid from the 2008 SPLOST.

Mr. Terry Palmer presented bids received for the construction of a salt storage facility at the White County Road Department.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Bryant there was a unanimous vote to award the contract for the construction of a salt storage facility to the low bidder Gale Builders in an amount not to exceed \$43,000.00 to be paid from the 2008 SPLOST with the Mr. Palmer to meet with the contractor and review opportunities for any value engineering (VE).

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Nix there was a unanimous vote to establish a revised minimum bid amount for the judicial sale of real property located at 237 Old Nacoochee Road in the amount of \$15,000.00 – which Mr. Bill House will present to Superior Court Judge Raymond George in the form of an order for his approval.

Mr. Melton presented a draft Fire Services Agreement for the County to provide the City of Helen with 24 hour fire protection.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Goodger there was a unanimous vote to table this item until the January 26, 2015 Work Session in order to give the Board additional time to review and consider the calculation of expense used.

Mr. Melton reviewed that at the November 24, 2014 Work Session a request for an appeal of County Code Section 14-214(11) (a) and (b) – Lot Size and Setbacks - related to the variance denied by the White County Planning Commission on August 4, 2014 for a Verizon Wireless tower on property located at 23 Sonny’s Circle was discussed and at the December 1, 2014 Regular Meeting. The Board approved to postpone action on this item in order to encourage Verizon and the adjacent property owner to come to an agreement in the property needed in order to meet the County’s requirements.

Ms. Jennifer Blackburn, Attorney with Troutman & Sanders representing Verizon, stated an affidavit (see meeting file) had been presented to the Board of Commissioners stating that an agreement could not be made with the adjacent property owner and the hardship basis of the project.

Mr. John Hardman, owner of the property adjacent to the proposed tower site, stated he had submitted an affidavit (see meeting file) detailing the efforts he had gone to in order to reach an

January 5, 2015 – Regular Meeting Minutes (continued)

agreement with Verizon for the lease of property needed for the tower project to meet the County's requirements. He stated that he had not made a final offer to Verizon; rather the last offer made by Verizon was not acceptable. Mr. Hardman stated that he was still willing to lease the property needed for the fall zone.

Chairman Turner expressed his appreciation for the efforts made by both parties to reach an agreement.

Commissioner Goodger stated that his decision would not be based on the affidavits submitted by either party; instead it is based on the current ordinance and requirements for the fall zone. He stated that although there was an engineering report presented showing the proposed tower would fall within the property Verizon had acquired – he did not feel there was substantial proof presented. Commissioner Goodger stated that approving the variance could possibly put the County at liability if the tower fell outside the acquired property, and he felt the variance requested for the 154' tower with the acquired 50' fall zone was in excess of a reasonable amount for a variance.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Bryant there was a unanimous vote to deny the appeal of County Code Section 14-214(11) (a) and (b) – Lot Size and Setbacks - related to the variance denied by the White County Planning Commission on August 4, 2014 for a Verizon Wireless tower on property located at 23 Sonny's Circle.

Commissioner Nix and Commission Holcomb both stated, for the record, that they agreed with Commissioner Goodger's concerns regarding potential liability if the variance had been approved.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Goodger there was a unanimous vote to table the discussion of the proposed draft Comprehensive Financial Policy until the January 26, 2015 Work Session. Commissioner Goodger asked that the Board address the pay schedule for the Elected Officials within the policy and Chairman Turner asked that reimbursements to the Commissioners for mileage outside of the county when on county business also be clarified.

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

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

No comments were presented during the County Manager Comments section of the agenda.

Chairman Turner opened the floor for citizen participation.

Ms. Judy Lovell congratulated Chairman Turner on his recent appointed by Governor Deal to the Georgia Environmental Finance Authority (GEFA) and expressed her appreciation to the Board for their assistance in obtaining highway directional signage for the Historic Courthouse Museum.

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Ms. Cindy Bailey, President of the White County Chamber of Commerce, thanked the Board for the County's sponsorship of the Unicoi Wine Fest and detailed the current activities of the White County Chamber of Commerce for the promotion of business in White County.

Mr. Jeff Hunt asked if the revisions discussed for the Land Use Ordinance would be on the County Website prior to the January 26, 2015 meeting. It was confirmed that this information would be placed on the website before the next meeting.

Commissioner Bryant asked that the Board consider the purchase of two (2) tag readers for the White County Sheriff's Office in the amount of \$33,000.00.

Sheriff Walden and Deputy Sheriff Jared Baker presented information on the tag readers and their experience with these devices on a trial basis.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Goodger there was a vote to approve the purchase of two (2) tag readers for the White County Sheriff's Office in an amount not to exceed \$34,000.00 to be paid from the 2008 SPLOST. Commissioner Holcomb voted in favor of the motion. Chairman Turner and Commissioner Nix opposed the motion. Motion passed by a 3-2 vote.

Chairman Turner asked that the possible options for a bridge at Yonah Preserve be included on the January 26, 2015 Work Session agenda.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Holcomb there was a unanimous vote to enter into Executive Session in order to discuss real estate, litigation, and 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 Holcomb, seconded by Commissioner Nix there was a unanimous vote to exit Executive Session.

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

January 5, 2015 – Regular Meeting Minutes (continued)

The minutes of the January 5, 2015 Regular Meeting are hereby approved as stated this 2<sup>nd</sup> day of February, 2015.

**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