

**WHITE COUNTY BOARD OF COMMISSIONERS**

**MINUTES FROM REGULAR MEETING HELD**

**AUGUST 7, 2007, AT 4:30 P.M.**

The White County Board of Commissioners met in a regular session at 4:30 P.M. in the Grand Jury Room of the White County Courthouse, Cleveland, Georgia. Present were: Chairman Chris R. Nonnemaker, Post 1 Commissioner Joe R. Campbell, Post 2 Commissioner Craig Bryant, County Manager Alton Brown, Chief Financial Officer Vickie Neikirk, and County Clerk Jean Welborn.

Chairman Nonnemaker called the meeting to order. After the pledge to the flag, Rev. Charles E. Black brought the invocation.

Upon motion made by Commissioner Campbell, seconded by Commissioner Bryant, the minutes from the Public Budget Hearing and Called Meeting of July 2, 2007, First and Second Public Hearings on Proposed 2007 Millage Rate held July 19, 2007 at 9:00 A.M. and 6:00 P.M., and Third Public Hearing on Proposed 2007 Millage and Called Meeting of July 27, 2007 were unanimously adopted.

The Board of Commissioners recognized the designation of White County as "Entrepreneur Friendly." Tom O'Bryant stated that this was a designation by the State of Georgia on developing a climate in your community that enhances the creation of small businesses; that the designation had been received on June 28, 2007; that White County was the 49<sup>th</sup> county in the State to receive this designation.

Upon motion made by Commissioner Bryant, seconded by Commissioner Campbell, the following Consent Agenda Items were unanimously adopted:

1. Adopted the following Resolution:

**"WHITE COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION NO. 2007-29**

**A RESOLUTION TO AMEND THE OFFICIAL CODE OF WHITE COUNTY, GEORGIA, CHAPTER 10, BY ADDING XII, ENFORCEMENT OF THE RABIES CONTROL RULES AND REGULATIONS**

**WHEREAS**, the White County Board of Commissioners wishes to revise a portion of the Official Code of White County as it relates to animals as hereinafter set out;

**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:

**CHAPTER 10, ARTICLE XII, ENFORCEMENT OF THE RABIES CONTROL RULES AND REGULATIONS, SECTIONS 10-121 THROUGH 10-149** is hereby added as shown on the attached 14 pages.

The effective date of this amendment shall be August 7, 2007.

**RESOLVED**, this 7<sup>th</sup> day of August, 2007.

**WHITE COUNTY BOARD OF COMMISSIONERS**

s/Chris R. Nonnemaker  
Chris R. Nonnemaker, Chairman

s/Joe Campbell  
Joe Campbell, Post 1

s/Craig Bryant  
Craig Bryant, Post 2

ATTEST:

s/Jean Welborn  
Jean Welborn, County Clerk

DRAFT

## **DIVISION 1 GENERALLY**

### **Sec. 10-121. Title**

The title of this article shall be the White County Enforcement of the Rabies Control Rules and Regulations.

### **Sec. 10-122. Purpose**

To prescribe procedures for the enforcement of rabies prevention and control in White County by providing for the vaccination, tagging and certification of dogs and cats and the confinement, quarantine or destruction of animals suspected of exposure to rabies.

### **Sec. 10-123. Authority**

#### **a. O.C.G.A. Title 4, Animals:**

**1.** Chapter 4, Prevention and Control of Disease In Livestock; Article 1, Control of Infectious or Contagious Diseases in Livestock; Part 1, General Provisions; Section 6, Penalty for introducing foreign animal disease-notice and reporting required for certain diseases-exception for bona fide research activities; Subsection (b)(3)(UU), Rabies; and

#### **2.** Chapter 8, Dogs:

**A.** Article 1, General Provisions; Section 5, Cruelty to dogs-authorized killing of dogs; Subsection (c); and

#### **B.** Article 2, Dangerous Dog Control:

**i.** Section 22, Jurisdiction of local governments-joint dog control services-dog control officer-animal control board or local board of health to hold hearings; Subsection (c); and

**ii.** Section 23, Investigations by dog control officer-notice of classification as dangerous dog; Subsection (a).

#### **b. O.C.G.A. Title 16, Crimes and Offenses:**

**1.** Chapter 12, Offenses against Public Health and Morals; Article 1, General Provisions; Section 4, Cruelty to animals; Subsection (e); and

**2.** Chapter 13, Controlled Substances; Article 3, Dangerous Drugs; Section 71, "Dangerous drug" defined; Subsection (b)

**c. O.C.G.A. Title 27, Game and Fish; Chapter 5, Wild Animals; Section 5, Wild animals for which license or permit required; Subsection (b)(1)(k), Order Carnivora (weasels, ferrets, cats, bears, wolves, etc.)**

d. O.C.G.A. Title 31, Health:

1. Chapter 3, County Boards of Health; Section 14, Financing of expenses; and
2. Chapter 19, Control of Rabies; Sections 1 through 10.

e. Georgia Rabies Control Manual, February 2001, Fourth Edition.

**Sec. 10-124. Definitions**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Animal* means any domesticated or undomesticated animal including but not limited to dogs, cats, wild carnivores, cattle and other livestock, bats, rodents, rabbits and opossums.

*Animal Control Center* means an area or facility used by the Rabies Control Officer for the detention of animals confined in compliance with the provisions of this article.

*Animal Control Officer* means individuals appointed by the White County Board of Commissioners to administer and enforce the provisions of Chapter 10, Animals, Articles I thru XII of the White County Code including but not limited to the animal control officer, assistant animal control officers, designated agents, sheriff's deputies or other county law enforcement officers.

*Bite (bitten)* means any injury caused by an animal resulting in breakage of the skin.

*Cat* means any member of the feline family three (3) months or more of age.

*Certificate* means a certification of vaccination on a form approved by the Center for Disease Control and the Georgia Department of Human Resources and signed by the veterinarian administering the vaccine.

*Dog* means any member of the canine family three (3) months or more of age.

*Domesticated animal* means animals kept as pets including but not limited to dogs and cats.

*Health department* means the White County Department of Health.

*Home quarantine* means secure confinement and isolation of an animal from exposure to animals and humans at the owner's residence with access provided to the Rabies Control Officer for monitoring the condition of the animal.

*Owner* means any person having a right of property in a dog or other animal or any person who permits a dog or other animal to remain on the person's premises.

*Quarantine* means the secure confinement and isolation of an animal from exposure to humans and other animals in the Animal Control Center, veterinary hospital or approved boarding facility.

*Rabies Control Officer* means the White County Animal Control Officer appointed by the White County Board of Health to carry out the provisions of this article with the White County Board of Commissioners' consent and affirmation of said appointment and its related duties.

*Suspected animal* means an animal reasonably suspected to have rabies or to have been exposed to rabies.

*Tag* means a tag approved by the Georgia Department of Human Resources and furnished by a veterinarian as evidence of the vaccination of an animal against rabies.

*Undomesticated animal* means horses, mules, cattle, goats, swine and other animals which are not domesticated.

*Vaccinate or inoculate* means the injection of a specified dose of anti-rabies vaccine by a veterinarian into an animal.

*Vaccine* means anti-rabies vaccine approved by the Georgia Department of Human Resources.

*Veterinarian* means a person holding a license to practice the profession of veterinary medicine in the State of Georgia.

#### **Sec. 10-125. Duties**

**a.** Duties of the White County Animal Control Officer serving as the White County Rabies Control Officer shall include:

1. Investigate and maintain a record of animal bites in the county; and
2. Report animal bites to the White County Department of Health; and
3. Seek the advice of the Department of Health with respect to further proceedings in connection with such cases; and
4. Provide for proper confinement of an animal involved in a bite; and
5. If the animal is dead, prepare and submit the head for laboratory examination; and
6. Enforce proper disposition of animals exposed to known rabid animals; and
7. Assist in county-sponsored rabies vaccination clinics; and
8. Other duties as stated in the rabies control regulations or as recommended by the Board of Health after collaboration with the County Manager.

## **DIVISION 2, VACCINATION**

### **Sec. 10-126. Vaccination of dogs and cats**

- a.** A person, who owns, keeps, maintains or harbors a dog or cat shall be responsible for a rabies vaccination.
- b.** If the dog or cat is:
  - 1.** Less than one (1) year old upon vaccination, it shall be revaccinated within one (1) year from the date of the original vaccination.
  - 2.** More than one (1) year old and vaccinated with a vaccine approved by the Department of Agriculture providing three (3) years' protection, such animals shall be revaccinated within three (3) years. When other approved vaccines are used, yearly inoculations shall be required.
- c.** All persons owning, keeping, maintaining or harboring a dog or cat brought into White County shall obtain evidence of a rabies vaccination within fourteen (14) days from the date of entry into the county.
- d.** No person shall vaccinate dogs and cats against rabies unless licensed to practice veterinary medicine in Georgia.

### **Sec. 10-127. State-issued tag, certificate of inoculation**

- a.** Anyone who owns, keeps, maintains or harbors a dog or cat shall obtain a Georgia Department of Human Resources issued certificate of inoculation signed by the veterinarian administering the vaccine and a vaccination tag.
- b.** Upon administering anti-rabies vaccines, the veterinarian administering the vaccine shall issue a certificate of vaccination with one copy to the animal owner, one copy to the Rabies Control Officer within forty-five days and one copy retained by the veterinarian.
- c.** Dogs and cats shall wear the vaccination tag issued for the current year at all times in a clearly visible location.
- d.** Exemptions:
  - 1.** Dogs and cats participating in organized and controlled competitions or performances for the duration of the competition or performance; and
  - 2.** Dogs and cats entering White County for a temporary stay of fourteen (14) days or less and which will be kept under direct control by the owners or handlers.
- e.** No person who owns, keeps, maintains or harbors a dog or cat shall refuse to show evidence of a certificate of inoculation upon demand of the Rabies Control Officer, Health Department representative or other authorized county official.

### **Sec. 10-128. Vaccines**

- a.** All dogs and cats owned, possessed, harbored or residing within the county shall be inoculated for the prevention of rabies using only those vaccines prescribed and/or approved by the Department Of Human Resources.
- b.** It shall be unlawful for any person to keep, maintain or to permit the keeping or maintaining of any dog or cat within the county unless such dog or cat has been inoculated against rabies.

### **DIVISION 3, SURRENDER**

#### **Sec. 10-129. Surrender of animal; redemption**

- a.** Upon demand by the Rabies Control Officer, an owner shall forthwith surrender any animal which has bitten a human or which is suspected of having been exposed to rabies.
- b.** The expense of such confinement or quarantine shall be borne by the owner or if deemed uncollectible by the Rabies Control Officer the Department of Health shall be responsible for such costs.
- c.** An owner may reclaim an animal if it is adjudged by the Rabies Control Officer to be free of rabies, in compliance with licensing provisions and upon receipt of evidence that all impoundment and boarding fees have been paid.
- d.** The carcass of a dead animal exposed to rabies shall upon demand be surrendered to the Rabies Control Officer.

### **DIVISION 4, QUARANTINE**

#### **Sec. 10-130. General**

- a.** This section shall apply to any biting dog, cat or other animal and does not exempt a vaccinated or inoculated animal.
- b.** The owner of any animal ordered quarantined under this section shall not refuse to comply with a quarantine order or remove the animal from White County without the approval of the Rabies Control Officer.
- c.** Home quarantine may be permitted at the discretion of the Rabies Control Officer in lieu of quarantine except during declaration of an area of infection.

#### **Sec. 10-131. Confinement of animals bitten by a rabid animal or an animal suspected of having rabies**

a. Currently vaccinated dogs and cats should be revaccinated immediately, kept under the owner's control and observed for ninety (90) days for clinical signs of rabies. During the observation period, the animal should not be permitted to roam.

1. At the first sign of illness or behavioral change in the animal, the Department of Health should be notified and the animal should be evaluated by a veterinarian. If clinical signs are suggestive of rabies, the animal should be immediately euthanized and tested for rabies.
2. If at the end of the ninety (90) day observation period there are no clinical signs of rabies, illness or behavioral change, the animal may be released.

b. An animal not vaccinated and bitten by a known or suspected rabid animal shall be:

1. Euthanized immediately; or
2. If the owner is unwilling to have this done, the animal shall be placed in strict isolation for six (6) months and vaccinated one (1) month before being released. Isolation may at the discretion of the Rabies Control Officer take place in an Animal Control Center or a double-walled isolation pen at the owner's home. At the first sign of illness or behavioral change in the animal, the Department of Health should be notified and the animal should be evaluated by a veterinarian. If clinical signs are suggestive of rabies, the animal should be immediately euthanized and tested for rabies.
3. In the event the owner of the bitten animal cannot be found, the Animal Control Center may, at any time during the period of confinement, humanely dispose of the bitten animal.

c. Animals with expired vaccinations need to be evaluated on a case-by-case basis. Strict isolation should be conducted under the authority of the Department of Health and the place, manner and provisions of the confinement are specified.

#### **Sec. 10-132. Reclaiming an animal impounded due no rabies tag**

a. An owner may reclaim any dog or cat impounded because of lack of rabies vaccination tag as follows:

1. A vaccinated animal may be reclaimed by furnishing proof of rabies vaccination and payment of all impoundment fees; or
2. An unvaccinated animal may be reclaimed by payment of fees and by providing satisfactory assurances of compliance with the rabies vaccination requirements of this article within seventy-two (72) hours of release.

#### **Sec. 10-133. Impoundment of dogs and cats not having numbered tags; not wearing tags; no certificate or expired certificate; or not vaccinated**

a. Dogs and cats shall wear the numbered metal tag provided by the veterinarian performing rabies vaccination at all times.



**b.** Any dog or cat not displaying a numbered tag or whose owner does not possess a certificate of vaccination that is not confined on the premises of the owner shall be impounded and disposed of as permitted in this article.

**c.** The Rabies Control Officer shall give notice to the owner if known and the owner shall obtain the vaccination, pay the impounding, board and other fees to secure release of the dog or cat.

**Sec. 10-134. Animals entering the county**

**a.** Any dog or cat brought into White county for a:

**1.** Permanent stay (exceeding fourteen days) shall be:

**A.** confined or kept on a leash until vaccinated; or

**B.** if the owner or custodian submits satisfactory evidence of vaccination, a certificate of vaccination and a vaccination tag may be issued for the current vaccination year and the Rabies Control Officer may waive the requirement that said dog be confined or on a leash.

**2.** Temporary stay not exceeding fourteen (14) days shall be confined or kept on a leash at all times.

**Sec. 10-135. Confinement of puppies**

Dogs and cats under the age of three (3) months shall be confined to their owner's premises and not allowed to roam at large.

**Sec. 10-136. General quarantine of animals within an area of infection; epidemic measures.**

**a.** In the event rabies is known to exist in White County, the Health Department:

**1.** Shall determine the area of infection; and

**2.** Provide for immunizations needed for the prevention and control of the disease; and

**3.** Give public notice of such quarantine or confinement by publication in the local newspaper, posting of notice in a public place or both.

**b.** When a report indicates a positive diagnosis of rabies, the Health Department may order an area-wide quarantine for a period up to sixty-(60) days. In the event there are additional cases of rabies occurring during the period of area-wide quarantine, such period may be extended for an additional period at the discretion of the Health Department.

**c.** During the period of area-wide quarantine and as long afterward as the period deems necessary to prevent the spread of rabies, the Rabies Control Officer may:

**1.** Require that all domesticated animals, three (3) months of age or older be vaccinated against rabies.

2. Confine animals found on public highways or streets or off the premises of the owner except on a leash.
3. Provide for a program of mass immunization.
4. Prohibit the transportation of animals from the county.
5. Prevent the adoption of animals which have been impounded because of being a stray.
6. Confine animals, not exposed to other animals, for not less than ninety (90) days from the date of the last occurrence.
7. Quarantine or confine animals vaccinated or inoculated.
8. Restrict (leashed or confined in an enclosed premises) vaccinated domesticated animals for thirty-(30) days after vaccination.

## **DIVISION 5, NOTIFICATION**

### **Sec. 10-137. Notification by owner of a biting animal or animal exhibiting signs of rabies**

It shall be the duty of persons owning, keeping, maintaining, harboring or who have knowledge of any animal that has bitten any person or animal or any animal exhibiting signs of rabies to notify the Rabies Control Officer.

### **Sec. 10-138. Notification when person bitten.**

- a. It shall be the duty of the person bitten by an animal to immediately notify the Rabies Control Officer.
- b. Parents or guardians are responsible for notification when a minor has been bitten.
- c. It shall be the duty of the Health Department to notify any person bitten by an animal which tests positive for rabies.
- d. When rabies has been diagnosed or suspected and the animal dies while under observation, the Rabies Control Officer shall notify the owner of such circumstances.
- e. The Rabies Control Officer shall immediately send the head of such animal to the state health regional laboratory for pathological examination and notify any persons having contact with the animal in question.

### **Sec. 10-139. Reporting**

- a. It shall be the duty of every physician or other practitioner to report to the Health Department the names and addresses of persons treated for bites inflicted by animals, together with such other information as the Health Department shall require.

- b.** It shall be the duty of every licensed veterinarian to report to the Health Department any diagnosis of any animal suspected of rabies.
- c.** The owner or custodian of any animal having signs suggestive of rabies shall confine the animal and immediately notify the Health Department, reporting any information regarding persons bitten or attacked by such animal.
- d.** The Rabies Control Officer shall report accumulated data relating to rabies in the county to the Health Department when rabies is prevalent or likely to become prevalent to the extent that quarantine procedures are indicated.

## **DIVISION 6, DISPOSITION**

### **Sec. 10-140. Disposition of bitten cattle and other livestock**

Cattle or other livestock known to have been bitten by a rabid animal shall be slaughtered immediately or at the request of the owner, placed in strict confinement for six (6) months, after which the animal if normal may be released by order of the Rabies Control Officer or slaughtered, if rabid.

### **Sec. 10-141. Killing, removal of rabid animals**

- a.** It shall be unlawful for any person to kill or cause to be killed any rabid animal, an animal suspected of having been exposed to rabies or any animal which has bitten a human, except as, provided in this article.
- b.** Nor shall any person remove such animal from the county without the written permission of the Rabies Control Officer.

### **Sec. 10-142. Destruction, isolation of bitten animals**

- a.** If the animal was vaccinated at least one (1) month before the exposure, it shall be revaccinated immediately and placed in strict confinement for at least thirty (30) days by the owner or at the owner's expense.
- b.** Unvaccinated animals that are bitten by an animal proven to be rabid shall be destroyed immediately or if the owner is unwilling to have the animal destroyed, the animal shall be quarantined for six (6) months by the owner or at the owner's expense.
- c.** One (1) month before release, the animal shall be vaccinated against rabies.
- d.** No person shall kill or cause to be killed any rabid animal, animal suspected of having been exposed to rabies or any animal biting a human, except as herein provided, nor remove such animal from White County without written permission from the Rabies Control Officer.
- e.** No person shall fail or refuse to surrender any animal for quarantine or destruction as required herein when the Rabies Control Officer makes demand thereof.

## **DIVISION 7, EXAMINATION**

### **Sec. 10-143. Examination of specimens**

- a.** Any animal that has bitten a person or that is suspected of having rabies shall be destroyed and the head submitted for examination to a public health laboratory operated by the Georgia Department of Human Resources.
- b.** A bat, which bites a person or domestic animal, shall be destroyed and the entire bat shall be submitted for examination to a public health laboratory operated by the Georgia Department of Human Resources.

### **Sec. 10-144. Laboratory results**

- a.** The Department of Health shall furnish the Rabies Control Officer with a copy of any laboratory results obtained on specimens submitted under Sections 10-125, 10-133, 10-140 and 10-146.
- b.** Animals known to transmit rabies that escape or are otherwise unavailable for examination shall be presumed rabid.

### **Sec. 10-145. Interference with Rabies Control Officers**

It shall be unlawful to interfere with any Rabies Control Officer or other officer empowered to act by law, or to take or attempt to take any animal from the county vehicle used to transport the animal or to take or attempt to take any animal from an Animal Control Center.

### **Sec. 10-146. Liability of the county, animal control unit, officers and employees**

- a.** The county, board of health, sheriff's department, animal control and rabies control officers and employees shall not be held responsible or liable for any accidents, diseases, injuries or deaths to any animal while being impounded or boarded at any facility designated by the Rabies Control Officer to house such animals.
- b.** Any person keeping, owning, harboring or having any type of animal in possession, excluding dogs and cats, is not required to have the animal vaccinated against rabies but does so at his own risk and assumes all liabilities for adverse actions of the animal.

### **Sec. 10-147. Miscellaneous**

- a.** The Rabies Control Officer acting on behalf of the Board of Health and the Board of Commissioners shall have the authority to enforce the regulations found in this article.
- b.** It shall be unlawful for any person to attach a vaccination tag to any animal for which it was not issued or remove such tags from any animal.
- c.** It shall be unlawful for any person to remove a tag from any dog or cat or to alter, disfigure or tamper with any such tag or to procure a tag by misrepresentation.

## **DIVISION 8, PENALTIES**

### **Sec. 10-148. Penalties**

Any person who violates any provision of this article or any rule or regulation adopted pursuant thereto shall be guilty of a misdemeanor.

## **DIVISION 9, EXPIRATION**

### **Sec. 10-149. Failure to appoint**

In the event the White County Board of Health fails to appoint the White County Animal Control Officer as the White County Rabies Control Officer, this article shall automatically be deleted from the White County Code.”

2. Authorized modifications to the van being used by the Board of Commissioners to replace the inoperable van used by the Park and Recreation Department for a work detail van and purchasing a replacement Van in an amount not to exceed \$20,720 from Allen Vigil Ford for use by the Board of Commissioners and others.
3. Adopted the following Resolution amending the budget for the fiscal year 2007-2008:

#### **“WHITE COUNTY BOARD OF COMMISSIONERS**

#### **RESOLUTION NO. 2007- 30**

#### **A RESOLUTION**

**WHEREAS**, there is a need to amend White County's Budget for the Fiscal Year 2007/2008.

**NOW, THEREFORE**, the Budget of White County is hereby amended to allow the changes as set out on the attached Exhibit A.

**RESOLVED**, this 7th day of August, 2007.

#### **WHITE COUNTY BOARD OF COMMISSIONERS**

s/Chris R. Nonnemaker \_\_\_\_\_  
Chris R. Nonnemaker, Chairman

s/Joe R. Campbell \_\_\_\_\_  
Joe R. Campbell, Post 1

s/Craig Bryant  
Craig Bryant, Post 2

ATTEST:

s/Jean Welborn  
Jean Welborn, County Clerk

DRAFT

Upon motion made by Commissioner Campbell, seconded by Commissioner Bryant, the following Resolution was unanimously adopted:

**“WHITE COUNTY BOARD OF COMMISSIONERS  
RESOLUTION NO. 2007-28  
SUPPLEMENTAL TAX LEVY RESOLUTION**

**WHEREAS**, pursuant to a bond resolution adopted on April 17, 2006 (the "2006 Resolution"), the Board of Education of White County (the "Board of Education"), as managing and controlling body of the White County School District (the "District"), a political subdivision of the State of Georgia, authorized the issuance of White County School District General Obligation School Bonds in the aggregate principal amount of \$12,500,000 (the "Bonds"), for the purpose of providing funds to the District to pay or to be applied toward the cost of (i) acquiring, constructing and equipping one new elementary school, (ii) acquiring, constructing and equipping a new gymnasium at the existing middle school, (iii) acquiring computers and computer technology equipment, (iv) acquiring, constructing and equipping a new agriculture exhibition facility, (v) adding to, constructing, renovating, repairing, improving, and equipping school system buildings and facilities, including but not limited to athletic and fine arts facilities and security improvements and equipment, (vi) acquiring heating, air conditioning and energy efficiency equipment, (vii) acquiring textbooks and other instructional materials and transportation equipment, and (viii) paying the expenses incident to accomplishing the foregoing; and

**WHEREAS**, the 2006 Resolution provided that the Bonds shall be issued in two series, one denoted as Series 2006 (the "Series 2006 Bonds") and the other as a series designated the calendar year of issuance (the "Additional Series" or the "Additional Series Bonds" and, together with the Series 2006 Bonds, the "Bonds"); and

**WHEREAS**, pursuant to the 2006 Resolution, the Series 2006 Bonds were issued on May 18, 2006, in the aggregate principal amount of \$10,000,000; and

**WHEREAS**, the 2006 Resolution further provided that the Additional Series Bonds shall be issued in the aggregate principal amount not exceeding \$2,500,000, shall be issued on a date after December 31, 2006, as approved by the Board of Education, shall bear interest from the date thereof at such rate or rates per annum as the Board of Education may approve, but not exceeding 6% per annum, and shall have such others terms not inconsistent with the 2006 Resolution as the Board of Education may approve by supplemental resolution;

**WHEREAS**, the terms of issuance of said Additional Series Bonds have been approved by the Board of Education pursuant to Supplemental Bond Resolution adopted on July 26, 2007 (the

"2007 Supplemental Resolution," and, together with the 2006 Resolution, the "Bond Resolution"); and

**WHEREAS**, pursuant to Tax Levy Resolution adopted by the Board of Commissioners of White County (the "Board") on May 2, 2006 (the "2006 Tax Levy Resolution"), there was levied upon all the taxable property in said District, which comprises all of White County, a direct annual tax sufficient to raise the amounts set forth below in each of the calendar years preceding the calendar years set forth therein sums sufficient to pay the principal of and interest on the Series 2006 Bond and the Additional Series Bonds (based on the maximum interest rate approved for the Additional Series Bonds of 6% per annum and the maximum principal amount of such Additional Series Bonds authorized to be issued); and

**WHEREAS**, the 2006 Resolution provided that when the Additional Series Bonds are issued, the Board, upon certification of the Board of Education, shall adopt a resolution supplemental to the 2006 Tax Levy Resolution specifying the principal of and interest on the Additional Series Bonds which is payable in each calendar year for which taxes must be levied in the event the proceeds of the Sales and Use Tax (hereinafter defined) are not sufficient to pay the same; and

**WHEREAS**, the Board of Education, being charged with the duty of managing the affairs of the District, has determined that in order to pay the principal of and the interest on the Bonds as the same become due and payable, whether by maturity, redemption or otherwise, to the extent such principal and interest is not satisfied from the proceeds of the 1 % sales and use tax for educational purposes on all sales and uses in White County, Georgia (the "Sales and Use Tax"), approved in the election held on March 21, 2006, and to the extent such interest is not satisfied from the construction funds to be created with the proceeds of the Bonds, it is necessary that there be levied an annual tax upon all taxable property in said District sufficient to raise the amounts set forth below in each of the calendar years preceding the calendar years set forth below; and

**WHEREAS**, proper certificates and recommendations have been made that a direct annual tax for such purposes be made in the amounts and for the years hereinafter stated; and

**WHEREAS**, it is necessary that a tax be levied for the purpose of paying the principal of and interest on the Bonds due in each year, whether by maturity, redemption or otherwise, to the extent such principal and interest is not satisfied from the proceeds of the Sales and Use Tax and to the extent such interest is not satisfied from the construction funds to be created with the proceeds of the Bonds;



**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of White County, Georgia, and it is hereby resolved by authority of same, that the 2006 Tax Levy Resolution is hereby supplemented to provide that there shall be and is hereby levied upon all the taxable property in the District, which comprises all of White County, a direct annual tax sufficient to raise in each of the calendar years preceding the calendar years set forth below the sums set forth below in order to pay the principal of and interest on the Bonds as follows:

<b>Date</b>	<b>Series 2006 Bonds Principal and Interest</b>	<b>Series 2007 Bond Principal and Interest</b>	<b>Aggregate Debt Service</b>
02/01/2008	\$ 185,294.25	\$ 45,938.33	\$ 231,232.58
08/01/2008	185,294.25	48,075.00	233,369.
02/01/2009	2,040,294.25	493,075.00	2,533.36
08/01/2009	151,904.25	39,517.65	191,421.
02/01/2010	2,076,904.25	509,517.65	2,586.42
08/01/2010	116,003.00	30,479.55	146,482.
02/01/2011	2,111,003.00	530,479.55	2,641.48
08/01/2011	78,796.25	20,864.55	99,660.8
02/01/2012	2,153,796.25	545,864.55	2,699.66
08/01/2012	40,097.50	10,768.80	50,866.3
02/01/2013	2,190,097.50	570,768.80	2,760.86

The foregoing sums are hereby irrevocably pledged and appropriated to the payment of the principal and interest on the Bonds as the same becomes due and payable, whether by maturity, redemption or otherwise, all to the extent such principal and interest is not satisfied from the proceeds of the Sales and Use Tax and to the extent such interest is not satisfied from the construction funds to be created with the proceeds of the Bonds.

The said several sums shall be collected by the Tax Commissioner of White County in each of said years, and shall be annually paid into a fund to be maintained for and applied to the payment of principal and interest on the Bonds when due and provisions to meet the requirements of this paragraph shall be made annually thereafter, upon receipt of an annual certificate from the Board of Education certifying the rate of tax levy (if any) necessary to pay such debt service on the Bonds.

**BE IT FURTHER RESOLVED** by the authority aforesaid that all orders and resolutions in conflict with this resolution are hereby repealed.

**BE IT FURTHER RESOLVED** by the authority aforesaid that in all respects not inconsistent with the terms and provisions of this Supplemental Tax Levy Resolution, the 2006 Tax Levy Resolution is hereby ratified, confirmed and approved.

Adopted by the Board of Commissioners of White County, Georgia, this 7th day of August, 2007.

s/Chris R. Nonnemaker

Chairman, Board of Commissioners of  
White County

ATTEST:

s/Jean Welborn

Clerk, Board of Commissioners of White  
County

(SEAL)”

Mr. Murphy Miller, the Enotah Circuit Public Defender, addressed the Board of Commissioners concerning the approval of the Georgia Indigent Defense Service Agreement and amendment to the 2006-2007 budget. Mr. Miller stated that they were asking for an amendment to add a 3% COLA and to increase the health benefit costs of the employees; that there was extra money to do that from what they were able to rollover and refund back to the counties; that the 2008 budget provided for a 3% COLA; that the budget did not provide for any new employees. Upon motion made by Commissioner Campbell, seconded by Commissioner Bryant, the 2006-2007 budget amendment and the 2007-2008 budget and Georgia Indigent Defense Service Agreement were unanimously approved.

Upon motion made by Commissioner Bryant, seconded by Commissioner Campbell, it was unanimously voted to authorize the execution of the extension of the Contract for Private Probation for the Superior Court with Northeast Georgia Probation Services.

Alton Brown discussed the proposed renewal contract with the Smithgall Humane Society. Mr. Brown stated that they had started with a 14-page contract and that there were 17 things that the Shelter disagreed with; that they had worked through all of those and they were now down to two items. Mr. Brown stated that in Article II, Section 2(a), 3 “Accept all animals delivered by White County..” and 4 “After the acceptance of an animal, if the Shelter Staff determines that the animal displays characteristics compatible with the symptoms of disease or injury, the Shelter shall be responsible for euthanasia or transporting the animal to a veterinary facility for diagnosis, treatment or euthanasia.” Mr. Brown stated that the Animal Shelter still believed that the Shelter

should not accept these animals; that this had been an on-going battle for three years; that he felt that if the county was paying \$80,000 or more a year, the county should be able to use quarantine cages and cages set aside for animal control and the shelter should take all of the animal control animals.

Chairman Nonnemaker asked Pat Cooper, the Animal Control Officer, what she did with an injured animal that she picked up during the day. Chairman Nonnemaker asked if she took it to the Shelter. Ms. Cooper responded that at this time she did not; that as it stood at this time, anything injured was not allowed to go to the Shelter; that it would have to go to Cleveland Vet. Chairman Nonnemaker asked if there was a definition of "injured." Ms. Cooper stated that they had discussed it before and tried to get some clarification. Alton Brown stated that he liked the old way that they did it, wherein they would decide if the animal was adoptable within five days; that if the answer was not, the animal needed to go to the euthanasia room; that if it was, it needed to go to a cage.

Chairman Nonnemaker asked Ms. Cooper what happened to the animal that was injured and it was taken to the Vet. Ms. Cooper stated that what she had done was take an animal with an injury to the Vet and if the animal had recovered enough by morning, she would take it to the shelter; that if the animal had not recovered, they tried to keep it for three days to allow a potential owner to claim it; that after that, it was euthanized; that if an animal had a sprain or something, you would not know right then because the injury just happened; that the next morning you could tell if it was severe. Chairman Nonnemaker stated that he did not feel what the county was asking from the Shelter was out of line; that if they did not take all the animals, the county was incurring a vet bill above and beyond the contract.

Commissioner Campbell stated that the Animal Control Department was on call 24 hours a day, seven days a week; that the Humane Society was only open 23 hours a week; that when Animal Control picked up an animal, there was no one there at the Shelter to turn them down; that you could not look at a dog and determine if it has Parvo or if a cat has upper respiratory problems; that Animal Control had to do something with the animal immediately; Commissioner Campbell asked if that was the procedure, to take them to the Shelter and place them in quarantine until the extent of the problem is determined. Ms. Cooper stated that she was not allowed to take these animals to the Shelter; that if a cat's eyes are running, they are not allowed to go to Smithgall; that it could be upper respiratory or it could be allergies; that the Shelter's rules were that the animal could not be brought there if any symptoms could possibly point to these diseases or an injury. Alton Brown asked what a quarantine cage was intended for if not for those instances. Commissioner Campbell asked the same question. Ms. Cooper stated that they allowed the quarantine cases for dog bites and that was all. Commissioner Campbell stated that that was not acceptable. Commissioner Bryant asked for clarification. Commissioner Bryant asked if it was correct that if an animal was picked up with a hurt leg at 9:00 at night, the Shelter would not allow you to bring the animal there. Ms. Cooper stated that this was correct; that Paul had stated that he might go along with possibly leaving the animal if he was there; however, the rules had not changed; that as it stood at this time, she was not allowed to bring in any animal with an injury at any time. Chairman Nonnemaker stated that he understood that their fears were founded; that if a contagious disease is brought in, they could have to close the Shelter for up to thirty days. Alton Brown stated that a contagious disease could also be spread at the veterinarian's office.

Chairman Nonnemaker asked if there were outside cages at the Shelter. Ms. Cooper stated that there were not. Chairman Nonnemaker stated that they had asked about that. Ms. Cooper stated that they had stated that they would not ever put outside cages and that it was in their by-laws.

Commissioner Campbell stated that the by-laws needed to be changed; that they were going to do the best they could for the animals; that it was his opinion that they were going to give them x amount of money; that they were not going to give them more; that if they wanted to spend it all and spend on vet bills, they could; that they were paying this \$80,000 to use the facility and have a place to put the animals; that if Animal Control can't use the facility, it defeats the purpose of the contract and the intent that he believed they were paying for; that he did not feel that it was asking too much if the Shelter was open 23 hours a week and the animal control is on call 24/7 that they should have a place to put the animals instead of taking them to the vet. Commissioner Campbell stated that his dog sleeps outside most of the time by choice; that according to the Shelter by-laws, he couldn't keep his dog because he did not keep him in the house.

Alton Brown stated that the staff recommendation was that the Board of Commissioners adopt the agreement, including Article II, Section 2, subsections 3 and 4, as written by the staff and as presented to the Board of Commissioners; that it would be up to the Shelter to implement these changes.

Chairman Nonnemaker stated that his recommendation had been if the county had any vet bills in addition to the contract, that they would be deducted from the amount of check. Commissioner Campbell stated that he would be willing to put cages with a top over it or whatever on the shelter property in order to have a space to put these animals that are picked up at night or after hours; that water and food would be left for them; that the next morning these animals could be evaluated; that if they needed to do that, then they needed to do it; that the shelter needed to look at its by-laws and use common sense with these matters; that they could work together if they used common sense; that if they could not work with the county, the county would have to do something else.

Commissioner Campbell made a motion to authorize the execution of the proposed contract with Smithgall Animal Shelter with the staff recommendations. Commissioner Bryant seconded for discussion. Commissioner Bryant asked if they wanted to add that the county would provide an extra 2 to 4 cages, if necessary. Chairman Nonnemaker stated that he felt that that should be separate; that Commissioner Bryant could convey that to the Animal Shelter Board. The vote to authorize the execution of the contract as recommended by the staff was unanimous.

Commissioner Campbell asked all taxpayers and citizens of White County in attendance if they thought that the county was being fair in the terms of the agreement with the Animal Shelter. Almost all in attendance raised their hands.

The County recognized the significance of the City of Cleveland receiving the Better Hometown designation. Judy Walker, the President of the Chamber of Commerce, gave a brief overview of the process.

Commissioner Bryant gave a report on the Bean Creek Water Project. Commissioner Bryant stated the water line down Highway 17 would be completed on this day to Rabun Road; that they had put in 12-inch lines from Highway 17 to Rabun Road; that they had opened up bids on the 31<sup>st</sup> of July with the lowest bidder being Water Management Systems at \$303,461; that this contractor would proceed from Rabun Road to the Bean Creek Community; that they would install 8" and 6" pipes; that this was to be approved at the next day's Water Authority meeting; that if awarded, the contractor would have 120 days to complete the installation; that hopefully by December 31, Bean Creek Community would have water.

Josh Turner announced that on April 18 and 19, 2008, the White County Republican Party would host the 2008 District Convention. Mr. Turner stated that they would have legislators from all over the State and our District; that they would have a banquet with a national figurehead as a speaker.

Sandi Hanes asked the process by which a traffic light could be obtained at the intersection of Highway 75 and Duncan Bridge Road. The Board of Commissioners stated that these were two State Highways and that the D.O.T. would have to make those decisions. Chairman Nonnemaker stated that he had mentioned this intersection to the D.O.T. Josh Turner stated that D.O.T. Transportation Board Chairman Evans would be in White County on August 20 at West's Family at 6:30 P.M.

Polly Ericson of the Smithgall Humane Society entered the meeting and apologized for being late. Chairman Nonnemaker stated that the Board of Commissioners had authorized the execution of the Agreement with Smithgall Humane Society as recommended by the county staff; that he knew that there were two points that had been a little contentious; that the Board of Commissioners approved the concept that if there were some cages they could put out with the covering on top on the Shelter property for a quarantine or holding area the County would pay for this. Commissioner Campbell stated that they also agreed that the Shelter by-laws needed some changes to make common sense. Ms. Ericson stated that she would need to take any proposed changes to the Board. Commissioner Campbell stated that they had voted on the agreement as per recommendations from the staff.

Chairman Nonnemaker stated that they needed a place to take the animals regardless of the health issues because of the large amount of vet bills (\$10.00 per day + any shots, etc.). Ms. Ericson stated that she understood Ms. Cooper to say that they only had about two of these cases each year. Ms. Cooper stated that the two or so a year she was referring to was for Parvo. Ms. Ericson stated that they had agreed to take all animals during open hours; that they felt this was a compromise; that if animals are brought in the evening that are injured or have a problem and they have to sit outside even in a crate and they bleed out during the night, they do not consider that to be humane and it was in their by-laws that they would not allow animals to sit outside; that it would be a conflict with the mission of the Humane Society. Ms. Ericson stated that if they accepted more animals they would have to have more money.

Commissioner Campbell stated that in the last few years, the County had spent more money on the Humane Society and Animal Control than they had in the Health Department; that he had a hard time justifying spending that much on animals and not that much on people; that in times past, the

Humane Society had fund raisers to provide part of the revenue needed but this had not been the case in the last few years. Ms. Ericson stated that they were going to change that; that they were going to have fund-raisers. Commissioner Campbell stated that, after talking to some of the new board members, he felt that there was going to be a change and that more revenue would be coming from fund raisers. Ms. Ericson stated that \$80,000 would probably only last until April and that it was a severe cut for them.

Chairman Nonnemaker announced a work session for Monday, August 27, 2007, at 9:00 A.M. and the regular meeting on Tuesday, September 4, 2007, at 4:30 P.M.

Upon motion made by Commissioner Bryant, seconded by Commissioner Campbell, the meeting was adjourned.

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Chris R. Nonnemaker, Chairman

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Joe Campbell, Post 1

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Craig Bryant, Post 2

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Jean Welborn, County Clerk