

**WHITE COUNTY BOARD OF COMMISSIONERS**

**MINUTES FROM REGULAR MEETING HELD**

**JUNE 5, 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: Post 1 Commissioner and Vice Chairman Joe R. Campbell, Post 2 Commissioner Craig Bryant, County Manager Alton Brown, Chief Financial Officer Vickie Neikirk, and County Clerk Jean Welborn.

Vice Chairman Campbell called the meeting to order. After the pledge to the flag, Rev. Marc Turner brought the invocation.

Upon motion made by Commissioner Bryant, seconded by Commissioner Campbell, the minutes from the Regular Meeting held May 1, 2007 and Called Meeting held May 23, 2007 were unanimously adopted.

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

- 1) Authorized the execution of the ACCG-IRMA Safety Discount Verification Form.
- 2) Authorized the contract for the services of TJW Traffic Services for the purpose of conducting speed study on 43 county maintained paved roads for the sum of \$9,000 payable from SPLOST.
- 3) Authorized the renewal of the mowing contract with Alton Leard for the sum of \$60,480 plus the amount of \$7,000 for spraying twice a year the weeds in the areas that are hard to reach for mowing.
- 4) Adopted the following Resolution adopting the Joint 10-year Solid Waste management Plan:

**“WHITE COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION NO. 2007-22**

**A RESOLUTION ADOPTING THE 10-YEAR SOLID WASTE MANAGEMENT PLAN FOR WHITE COUNTY AND THE CITIES OF CLEVELAND AND HELEN**

**WHEREAS**, the City of Cleveland, the City of Helen, and White County have developed a Solid Waste Management Plan as required by the Solid Waste Management Act;

**AND WHEREAS**, this plan has been reviewed and approved by the Georgia Mountains Regional Development Center and the State of Georgia for compliance with the Minimum Planning Standards and Procedures for Solid Waste Management;

**NOW, THEREFORE, BE IT RESOLVED** by the White County Board of Commissioners that the 10-year Solid Waste Management Plan 2005 for the Cities of Cleveland and Helen and White County is hereby officially adopted.

**RESOLVED**, this 5th day of June, 2007.

**WHITE COUNTY BOARD OF  
COMMISSIONERS**

(absent)  
Chris R. Nonnemaker, Chairman

ATTEST:

s/Joe R. Campbell  
Joe R. Campbell, Post 1 Commissioner

s/Jean Welborn  
Jean Welborn  
County Clerk

s/Craig Bryant  
Craig Bryant, Post 2 Commissioner”

- 5) Adopted the following Resolution authorizing the transmittal of the White County Comprehensive Plan to the Georgia Mountains RDC for review, etc.:

**“WHITE COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION NO. 2007-23**

**A RESOLUTION AUTHORIZING THE TRANSMITTAL OF THE  
WHITE COUNTY COMPREHENSIVE PLAN TO THE GEORGIA  
MOUNTAINS REGIONAL DEVELOPMENT CENTER AND  
GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS FOR  
REVIEW, COMMENT AND RECOMMENDATION AND  
CERTIFYING THAT MINIMUM LOCAL PLAN PUBLIC  
PARTICIPATION REQUIREMENTS HAVE BEEN MET**

**WHEREAS**, White County has held a public hearing to brief the community on the contents of the Plan, provided an opportunity for residents to make suggestions, additions or revisions, notice of such hearing being advertised in The White County News, a newspaper of general circulation in the county in accordance with the county's public notification procedures;

**NOW, THEREFORE, BE IT RESOLVED, AND IT IS HEREBY RESOLVED** by the Board of Commissioners of White County, Georgia, as follows:

Section 1. The Commission hereby authorizes the transmittal of the White County Comprehensive Plan for review, comment, and recommendation to the Georgia Mountains Regional Development Center and requests its favorable consideration.

Section 2. The Commission hereby certifies that the process utilized in developing the Comprehensive Plan meets the minimum public participation requirements for local plans in the State of Georgia.

**RESOLVED**, this 5th day of June, 2007.

**WHITE COUNTY BOARD OF  
COMMISSIONERS**

By: (absent)  
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”

- 6) Authorized the execution of the renewal contract with Georgia Department of Corrections (Carlton H. Colwell Probation Detention Center) on one work detail for use at the Park and Recreation Department.

James E. Hatcher was not present for the consideration of the Tax Release application filed by James E. Hatcher for Jessie Mae Thurmond.

The consideration of the proposed annexation of a 54.784-acre tract by the City of Cleveland was discussed. Mr. Brown stated that after receiving notification from the City of Cleveland on the proposed annexation by letter dated May 23, 2007, the Board of Commissioners looked at this at a work session on May 29, 2007; that the Board of Commissioners had given him their views and asked that he draft a letter to the City for your approval; that he had sent this draft as an email to the Board of Commissioners and asked if they had had a chance to look at. Commissioner Bryant stated that he had. Commissioner Campbell wanted to look at the draft. Commissioner Campbell asked Dr. Stanley if he had received the letter. Dr. Stanley stated that he had not. Mr. Brown stated that the Board of Commissioners needed to vote on it before it was delivered. The Board of Commissioners stated that they had misunderstood that part; that they thought the letter had been delivered. Commissioner Campbell explained to Dr. Stanley that the Board of Commissioners had a couple of things that they had some questions about; that they were very much in favor of the project going forward but they had some questions. A copy of the letter was given to Dr. Stanley. Dr. Stanley stated that it would be okay to ask the questions.

Commissioner Campbell read a portion of the letter (see copy attached). Commissioner Campbell explained that the Board of Commissioners’ concern, and the concern of the Sheriff, was that the jurisdiction would go from City, County, City, County, making it difficult to know who was in charge of the areas as far as traffic, etc.; that another large concern was that the sketch submitted on the proposed property to be annexed indicated that the trucks to the property would be coming up Old Highway 75.

Dr. Stanley stated that this had been addressed at the zoning hearing; that none of the trucks would be used on Old Highway 75; that the Developer was being forced to put in a traffic light on the Highway 129 side; that the trucks would be going and coming on Highway 129; that the developer was going to upgrade Old Highway 75 for a turn lane into the Woods and into Eagles Landing; that all of that would be done on Walmart’s (developer’s) property; that the developer was not asking for any property from anybody else; that there were about 20 people from the Woods Subdivision and Eagles Landing at the hearing; that they seemed okay with the arrangement; that all of the upgrading was at the expense of the developer, including the traffic light, which had already been worked out the D.O.T. Dr. Stanley stated that Old Highway 75 is a County Road; that the developer did not realize that Old 75 was a County Road; that they thought it was a State route; that the developer stated that they would put whatever was necessary in there; that, in fact, they intended to put the turn lanes and whatever was needed in there.

Commissioner Campbell asked what kind of entrance they would have on Old 75. Dr. Stanley stated that it could be utilized by anybody to do business there but not the trucks from Walmart; that they would be coming in from Highway 129. Commissioner Campbell asked Police Chief John Foster how a traffic accident would be handled on that property. Chief Foster stated that he needed to work something out with the Sheriff; that it was doable; that they could simply enter into a mutual aid agreement for the City to handle any accidents that happened in that particular stretch of road; that any citations that would be issued between the City Limits and the mutual aid point would have to be

Minutes from Regular Meeting Held June 5, 2007, Continued

placed in the proper court of jurisdiction, which would be the County's court; that it could be in the county's court; that it would be enforceable by his officers. Dr. Stanley stated that this could be done with an intergovernmental agreement.

Commissioner Campbell and Commissioner Bryant stated that these were the biggest issues that they had. Dr. Stanley stated that they had done numerous studies as far as traffic was concerned. Commissioner Campbell stated that they had not seen them. Dr. Stanley stated that if they needed to do something else on that, they could.

Commissioner Campbell stated that since the City was annexing the property, the County wanted the City to bear that burden of the extra traffic. Chief Foster stated that they were going to handle this; that this would be a plus for the county; that his guys would be enforcing it as far as traffic accidents were concerned; that he would discuss with the Sheriff what type of enforcement he would like for them to do in the mutual aid agreement.

Rolann Smith asked about the maintenance on Old Hwy. 75 and asked if it would belong to the County or the City. Commissioner Campbell and Dr. Stanley stated that that could be worked out in an intergovernmental agreement. Dr. Stanley stated that at this time, the City could not annex that portion of Old Hwy. 75 or Highway 129 bordering the property to be annexed because the state would not allow them to do so; that if the property on both sides of Old 75 and Highway 129 were annexed into the City, then the City could annex the roads.

Dr. Stanley stated that the developer is to handle all the improvements on Old Hwy 75; that they were going to work that out with D.O.T. because they assumed it was a state highway; that the City told them no; that is was a county-maintained road.

Commissioner Campbell asked Dr. Stanley to have the developer contact Doug Dockery, the Public Works Director, and go over the proposed changes and get the county specifications on the changes.

Commissioner Campbell stated that these were the concerns that the Board of Commissioners had on the proposed annexation, along with any concerns of the neighbors. Dr. Stanley stated that he was not at the meeting but he was told that there were around 20 people there and that they assumed that the questions were answered to their satisfaction; that their main concern was what was going to happen on Hwy. 75 with the traffic going into Walmart; that there would be a turn lane there.

Commissioner Bryant asked what the next step would be. Alton Brown stated that since the Sheriff and the County Attorney had looked at the draft letter, he could deliver it the next day. Commissioner Bryant stated that they could have a quick called meeting on this; that they could go ahead and post a called meeting on June 11 (in conjunction in the 9:00 A.M. budget work shop), then if everything worked out, they could get this out of the way and move on. Jean Welborn stated that she would not be able to attend the called meeting but she would post it.

Dr. Stanley asked the Board of Commissioners what he needed to do. Commissioner Campbell stated that Chief Foster and the Sheriff needed to get together on who would be policing the areas and get an intergovernmental agreement on that; that the representatives of Walmart need to get with Doug Dockery to review the proposed improvements to Highway 75 and give them something in writing to substantiate that all the improvements would be accomplished at the developer's cost and to county standards. Commissioner Campbell asked Tom O'Bryant if he knew of anything else the County would need. Mr. O'Bryant stated that his questions and concerns would probably be answered by looking at the site plan; that probably the most important thing would be the storm water management with the extra impervious surface. Dr. Stanley stated that Walmart assured them that they had been through this many times. Commissioner Campbell stated that the City Engineer, Brian Rindt, would probably have the answers to

## Minutes from Regular Meeting Held June 5, 2007, Continued

those questions. Commissioner Campbell asked Dr. Stanley to have Mr. Rindt get with Tom O'Bryant to go over the proposed plans.

Commissioner Campbell stated that they were calling a special meeting on June 11 to okay this if they could get all of these questions answered. Commissioner Bryant stated that Chief Foster and the Sheriff could get together on their issues prior to that time. Chief Foster stated that this would not be a big issue. Commissioner Bryant asked about the time of the meeting on June 11. Commissioner Campbell stated that it was 9:00 A.M. Commissioner Bryant stated that they could have the called meeting portion at 9:00 A.M. and hold the budget workshop immediately following. Commissioner Campbell agreed. Chief Foster asked for clarification that he and the Sheriff were to go ahead and meet and get some mutual understanding. Commissioner Campbell stated that that was correct. Commissioner Campbell stated that this would be settled at a called meeting on June 11 at 9:00 A.M.

Upon motion made by Commissioner Bryant, seconded by Commissioner Campbell, the execution of the addendum to the Triple Surface Contract to add Antioch Church Road to the contract was unanimously approved. Commissioner Bryant asked Doug Dockery if the road was going to be changed to a one-way loop road. Mr. Dockery stated that he felt that it would be best to leave it a two-way road.

The consideration of the purchase of the bug gun irrigation system for the Park and Recreation Department was tabled. Commissioner Campbell stated that he had not been able to talk to a person he knows who deals in this type of equipment; that they did not have the water for this system at this time anyway. Commissioner Campbell stated that he had talked to people about the well that would be required; that they were hopefully going to dig a well at the Asbestos Road Recreation Complex to irrigate the ballfields during the summer if they could find water. Anthony Waters, a representative from Athletic Construction, Inc., the proposed vendor, was present. Mr. Waters stated that they had installed the system at the Falcons complex; that this was a portable irrigation system for people who did not want to go to the expense of a full-blown irrigation system; that it could be used anywhere throughout the park as long as you had the hook-up.

Commissioner Campbell asked if the County put in a well system, what type of pump would this system require. Mr. Waters stated that they tried one at Blue Ridge and the pump did 60 gallons per minute with about 60 lbs. of pressure and it did a decent job. Commissioner Campbell asked if this was like a  $\frac{3}{4}$  hp pump and well. Mr. Waters stated that it would need a 5 to 10 hp pump in a well. Commissioner Campbell asked how many gallons per minute did the well need to produce to support this system. Mr. Waters stated that he would like to have an excess of 50 gallons per minute. Commissioner Campbell stated that they did not have many wells like that; that he doubted they could get a well that produced 50 gallons a minute. Mr. Waters referred to a letter that was sent to Marlon Caldwell (see copy attached) wherein it refers to the staff Geologist who would come out and conduct a study of the area. Commissioner Campbell asked Mr. Waters to get with Mr. Caldwell and find out the cost of having the geologist come up and conduct a study on this.

Marlon Caldwell and Alton Brown discussed the need for a new vehicle at the Park and Recreation Department. Mr. Brown stated that the 1993 Pickup with 117,000 miles had engine problems and the estimate to replace it was going to be \$3,000; that he did not see putting \$3,000 in a truck that was 15 years old; that they had found at Jacky Jones a Ford Escape for \$16,139; that the money was in the Park and Recreation Budget; that it would only take an intra-department transfer on this year's budget. Upon motion made by Commissioner Campbell, seconded by Commissioner Bryant, it was unanimously voted to purchase the Ford Escape from Jacky Jones Ford for an amount not to exceed \$16,139 to be paid from the Park and Recreation Budget.

Minutes from Regular Meeting Held June 5, 2007, Continued

Mr. Brown stated that the Road Department needed a new truck to replace truck 5 and that the money was in the Road Department budget. Beverly Bollefer stated that they could get a 2007 GMC Sierra 1500 from Carl Black in Kennesaw under the state contract for \$15,485 plus a \$75.00 delivery charge; that Jacky Jones Ford had a F150 for \$18,139; that Universal Chevrolet had a comparable truck for \$21,975. Mr. Brown asked Doug Dockery which truck suited their needs. It was stated that they all did. Commissioner Campbell asked if the 2007 GMC was a new truck. Ms. Bollefer stated that it was. Upon motion made by Commissioner Campbell, seconded by Commissioner Bryant, it was unanimously voted to purchase the 2007 GMC Sierra 1500 pickup from Carl Black for the sum of \$15,485 plus \$75.00 delivery charge.

Upon motion made by Commissioner Campbell, seconded by Commissioner Bryant, **JERRY BROWN** was unanimously appointed to a three-year term to expire June 30, 2010 on the **Helen/White County Convention and Visitors Bureau Board**.

Vickie Neikirk, Chief Financial Officer, presented the monthly financial report (see copy attached).

Under the Citizen Participation section, Teresa Stansel asked if the Board of Commissioners had had an opportunity to consider the Emergency Resolution that she presented last month. Commissioner Campbell stated that they were still looking at the Resolution; that he liked what he was seeing; that they were still taking this under advisement. Commissioner Bryant stated that he was looking at this very intently. Commissioner Campbell stated that they also had to look at all legal ramifications would be involved.

It was stated that some of the Board of Commissioners would meet with Ringo McCollum, Chief Building Inspector, to look at the Old Oak Springs School property after lunch on Friday. Annie Sutton stated that they were interested in the building for something for the community.

Commissioner Campbell announced the following meetings:

**JUNE 11, 2007 (MONDAY):**

**AT 9:00 A.M. - CALLED MEETING CONCERNING THE PROPOSED ANNEXATION FOLLOWED BY BUDGET WORK SHOP;**

**JUNE 18, 2007 (MONDAY):**

**AT 9:00 A.M. – PUBLIC HEARING ON PROPOSED BUDGET;  
AT 9:15 A.M. – WORK SESSION;**

**JUNE 25, 2007 (MONDAY):**

**AT 4:30 P.M. – SECOND PUBLIC HEARING ON THE PROPOSED BUDGET;  
AT 4:45 P.M. – CALLED MEETING – ADOPTION OF BUDGET AND ANY ITEMS THAT WOULD BE HANDLED AT THE JULY MEETING\*.**

**JULY 3, 2007 (TUESDAY)- REGULAR MEETING – CANCELLED\*.**

Commissioner Bryant asked about any supplemental health insurance. Mr. Brown stated that it was one package handled through the County's broker.

Commissioner Bryant stated that they had a big problem in the Hispanic Community in Gainesville concerning the language on the signs; that it had become a public safety

Minutes from Regular Meeting Held June 5, 2007, Continued

problem. Commissioner Bryant stated that they needed to look at putting something in the County's sign ordinance that would require English on the signs in order for emergency personnel to readily locate an address. Commissioner Campbell stated that he felt that first of all, the signs would have to be in English. Tom O'Bryant stated that they could put something in the 9-1-1 numbering requirements that would address this.

Commissioner Bryant stated that he wanted to have the unpaved portion of the Asa Dorsey Road put on the list to look at next year for possible paving or triple surface treatment.

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

---

Joe R. Campbell, Vice Chairman

---

Craig Bryant, Post 2

---

Jean Welborn, County Clerk