

**WHITE COUNTY BOARD OF COMMISSIONERS**  
**MINUTES FROM CALLED MEETING HELD MARCH 26, 2007**

**SCHEDULED FOR 5:30 P.M.**

The White County Board of Commissioners met in a called session scheduled for 5:30 P.M. but with a delayed start due to the work session immediately preceding the Called Meeting. The meeting was held 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 E. Brown, and County Clerk Jean Welborn.

Chairman Nonnemaker called the meeting to order.

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

**“WHITE COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION NO. 2007-13**

**A RESOLUTION**

**TO PROVIDE FOR THE APPROVAL OF THE ANNEXATION BY THE CITY OF CLEVELAND, GEORGIA, A DULY CHARTERED MUNICIPALITY OF THE STATE OF GEORGIA, OF A 0.33-ACRE TRACT OF LAND LYING AND BEING IN LAND LOT 40 OF THE 2ND LAND DISTRICT OF WHITE COUNTY, GEORGIA; TO PROVIDE AN EFFECTIVE DATE; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING LAWS; AND FOR OTHER PURPOSES.**

**WHEREAS**, The Board of Commissioners of White County is empowered under the Official Code of Georgia Annotated Section 36-36-20(c) to approve the annexation of property owned by the City of Cleveland, Georgia, when the property owned by said City abuts less than fifty (50) feet the existing municipal boundary; and

**WHEREAS**, under the provisions of the service delivery dispute resolution process set out in the intergovernmental agreement dated July 1, 1998, by and between White County and the City of Cleveland, said City is to provide notice to White County before initiating any formal annexation activities; and

**WHEREAS**, the City of Cleveland has constructed on said 0.33-acre tract a new sewer pump station located on the force main from the Telford Hulsey Business Park; and

**WHEREAS**, the City of Cleveland has requested that White County expressly approve its annexation of said 0.33-acre tract in accordance with said Official Code of Georgia Annotated Section 36-36-20(c) and said intergovernmental agreement dated July 1, 1998; and

**WHEREAS**, the Board of Commissioners of White County, after due consideration, has determined that it is in the public interest to have the City of Cleveland, Georgia annex said 0.33-acre tract;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of White County and it is resolved by the authority of the same as follows:

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The Board of Commissioners of White County, in accordance with said Official Code of Georgia Annotated Section 36-36-20(c) and said intergovernmental agreement dated July 1, 1998, expressly approves the annexation by the City of Cleveland, Georgia of the 0.33-acre tract more particularly described as follows:

All that tract or parcel of land lying and being in Land Lot 40 of the 2nd Land District of White County, Georgia, containing 0.33 acre, more or less, and being all of the 0.33-acre tract designated and delineated on Plat of Survey dated July 26, 2004, prepared for the City of Cleveland by London Land Surveying, Cleveland, Georgia, and A. Darin Cain, Georgia Registered Land Surveyor No. 2592, recorded in Plat Book 58, page 177, Office of Clerk, Superior Court, White County, Georgia. Reference is hereby made to said Plat of Survey and the record thereof for a more complete description of said property. Said property being the same property described and conveyed in Warranty Deed dated July 15, 2005, executed by Edward Allen, also known as Edward R. Allen, and Leona Allen, as Their Interests May Appear, to the City of Cleveland, Georgia, a duly chartered municipality of the State of Georgia, recorded in Deed Book 1037, pages 59-60, said Clerk's Office. A revised copy of said Plat of Survey (revised February 26, 2007, showing the location of said tract in relation to the present municipal boundaries of the City of Cleveland) is attached hereto as Exhibit "A" and incorporated herein by reference.

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If any section, subsection, sentence, clause, phrase, or any portion of this Resolution be declared invalid or unconstitutional by any Court of competent jurisdiction, or if the provisions of any part of this Resolution as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Resolution not so held to be invalid, or the application of this Resolution to other circumstances not so held to be invalid. It is hereby declared separable and divisible parts, and it does hereby adopt any and all parts hereof as may not be held invalid for any reason.

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All Resolutions, or Ordinances, or parts thereof, in conflict with the terms of this Resolution are hereby repealed; but it is hereby provided that any resolution, ordinance, or law, which may be applicable hereby and aid in carrying out and making effective the intent, purpose and provision hereof, which shall be liberally construed to be in favor of White County, is hereby adopted as a part hereof.

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The effective date of this Resolution shall be March 26, 2007.

**THIS RESOLUTION IS HEREBY ADOPTED** this 26th day of March, 2007.

**WHITE COUNTY BOARD OF  
COMMISSIONERS**

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

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

Minutes from Called Meeting Held March 26, 2007, Continued

s/Craig Bryant  
Craig Bryant, Post 2

ATTEST: s/Jean Welborn  
Jean Welborn  
County Clerk”

Minutes from Called Meeting Held March 26, 2007, Continued

Upon motion made by Commissioner Bryant, seconded by Commissioner Campbell, a Third Extension of the Ambulance Service Agreement with Northeast Georgia Primary Care, Inc. was unanimously approved, which extension will expire June 30, 2007.

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

**“WHITE COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION NO. 2007-14**

**A RESOLUTION**

**WHEREAS**, there is a need to amend White County's Budget for the Fiscal Year 2006/2007;

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

**RESOLVED**, this 26th day of March 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

**Budget Adjustments**

**Exhibit A**

**PLANNING AND ECONOMIC DEVELOPMENT**

<b><u>From Account</u></b>	<b><u>To Account</u></b>	<b><u>Amount</u></b>
52.2227.000 (Professional Services Impact Fees)	53.3200.000 (Equip < \$2,000)	\$5,000.00
52.2227.000 (Professional Services Impact Fees)	53.3140.000 (Supplies Office)	<u>\$2,000.00</u>
Total		\$7,000.00

**E 911 AND EMA**

<b><u>From Account</u></b>	<b><u>To Account</u></b>	<b><u>Amount</u></b>
<u>E911</u>		
250.52.2160.000 Travel	250.52.2155.000 Training	\$ 400.00
250.53.3200.000 Equip <\$2000	250.53.3130.000 Supplies	\$ 500.00
250.53.3257.000 Tires	250.53.3270.000 Utilities	\$ 300.00
 EMA		
260.52.2160.000 Travel	260.52.2155.000 Training	\$ 150.00
260.53.3200.000 Equip <\$2000	260.53.3130.000 Supplies	\$ 600.00
260.53.3200.000 Equip<\$2000	260.53.3260.000 Uniforms	\$190.00

**PARK AND RECREATION**

<b><u>From Account</u></b>	<b><u>To Account</u></b>	<b><u>Amount</u></b>
590.54.4100 (Capital outlay)	590.52.2320 (Building & ground maintenance)	\$7000.00"

As a part of the above motion, it was unanimously voted to authorize the Chief Financial Officer to make such interdepartmental budget adjustments that do not affect salaries or fringe benefits and which do not affect the Departmental budget amount.

At approximately 6:15 P.M., upon motion made by Commissioner Campbell, seconded by Commissioner Bryant, it was unanimously voted to enter Executive Session to discuss potential land acquisition. (See Affidavit Attached.)

Upon motion made by Commissioner Bryant, seconded by Commissioner Campbell, it was unanimously voted to exit the Executive Session. No decisions were made.

Minutes from Called Meeting Held March 26, 2007, Continued

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 R. Campbell, Post 1

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Craig Bryant, Post 2

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Jean Welborn, County Clerk