

WHITE COUNTY BOARD OF COMMISSIONERS

**MINUTES OF THE PUBLIC HEARING, WORK SESSION
& CALLED MEETING HELD**

MONDAY, SEPTEMBER 25, 2017 AT 4:30 P.M.

The White County Board of Commissioners held a Public Hearing, Work Session and Called Meeting on Monday, September 25, 2017 at 4:30 p.m. in the Board Room at the White County Administration Building. Present for the meeting were: Chairman Travis Turner, Commissioner Terry Goodger, Commissioner Lyn Holcomb, Commissioner Edwin Nix, Commissioner Craig Bryant, County Manager Michael Melton, Finance Director Vicki Mays, and County Clerk Shanda Murphy.

Chairman Turner introduced the items to be addressed during the scheduled Land Use Public Hearing.

- An application filed by Mr. Mark Byrd to redistrict property located at 36 Cannon Road Cleveland, GA 30528 from C1- Community Commercial District to C2 – Highway Business District. Total acreage 3.506; and
- An application filed by Mr. Mark Byrd to redistrict property located at 36 Cannon Road Cleveland, GA 30528 from C1- community Commercial District to C2 – Highway Business District. Total acreage 1.820.

Mr. Harry Barton, Planning Director, presented the applications to the Board of Commissioners. He stated that Mr. Byrd owned the two (2) separate parcels – the 3.506 acres which had a single family structure on it and was accessed from Cannon Road and the 1.820 acres on which his storage facility business was located which fronted Duncan Bridge Road and was accessed from Cannon Road. Mr. Barton explained that several weeks ago Mr. Byrd had inquired about expanding his business which would have required a conditional use permit in the current classification; however upon review the expansion could not meet the setbacks required in the C1 district and square footage limitations. Mr. Byrd then chose to seek the reclassification of both parcels to C2. Mr. Barton indicated that the Planning Commission issued a recommendation to deny the reclassification of the 3.506 acre parcel and to approve the reclassification of the 1.820 parcel.

Mr. Byrd presented his request for land use reclassification to the Board of Commissioners. He stated that he was required, at the purchase of the property in 2011, to designate the property as two (2) separate parcels for lending purposes. He explained that his plan was to add additional office space and additional storage facilities (50'x145') to the 1.820 tract and wanted to have the 3.506 tract reclassified to C2 as well so that he could expand in that area as well in the future based on the demand for storage facilities. Mr. Doug Sherrill with Land Development Professionals spoke on behalf of Mr. Byrd and stated that it was important for both parcels to have the same land use classification because if they did not it could create issues with adding the septic needed for expansion if the property line from the front parcel needed to be moved back further into the back parcel. Mr. Byrd verified that his access to the properties was off

Cannon Road – where he owned property to the center of the roadway. Commissioner Bryant asked if access could be constructed off Duncan Bridge. Mr. Byrd and Mr. Sherrill stated that due to the location of the existing buildings there is not adequate space to meet the DOT design requirements for that access. Mr. Sherrill expressed that he did not believe the issue of property lines related to the access was relevant to the land use decision being considered – however Commissioner Bryant stated that he disagreed because criteria for the classification did relate to access, increased traffic would be caused by the expansion, and additional access off Cannon Road would be needed. Chairman Turner stated that he agreed with the relevance as well – as reclassification of the property would affect what could be developed on the property in the future.

Chairman Turner opened the floor for anyone in support of the land use reclassification applications being considered.

Following three (3) opportunities announced for anyone in support of the land use reclassification applications being considered – with there being no comments the floor was closed.

Chairman Turner opened the floor for anyone in opposition of the land use reclassification applications being considered.

Mr. Steve Cannon (representing is father who resides at 121 Cannon Road Cleveland, GA) – Mr. Cannon stated his opposition to the land use reclassification request and that he is in great disagreement with the noted property line agreement and affidavits had been appropriately filed with the courts in accordance with their dispute of this. He noted that Cannon Road has always been a private road and his father had maintained the road since 1956. He spoke of the decades his family had owned and farmed the property. He approached the proposed project as a nuisance issue. He stated specific sections in the White County Land Use Plan where the proposed project did not meet the required standard of both C1 and C2 land use classifications. Mr. Cannon also stated that the residential structure on the property currently classified as C1 was not taxed on a commercial basis – rather on a residential basis. He addressed other concerns such as setbacks, site distance, increased traffic, and litter. He expressed his like for Mr. Byrd; however he stated that he had to protect his father, his inheritance, and the community from the issues the reclassifications would pose. He ended by restating his (and his father's) opposition to the land use reclassification applications being considered.

Following two (2) additional opportunities announced for anyone in opposition of the land use reclassification applications being considered – with there being no further comments the floor was closed.

The Commissioners received clarification that the only access to either parcel was through Cannon Road and that both parcels are currently classified as C1. Mr. Barton restated for the Board that the Planning Commission did not recommend reclassification of the 3.506 acre parcel and that did recommend reclassification of the 1.820 acre parcel. Chairman Turner received confirmation from Mr. Cannon that his father is at his residence three (3) or more days per week.

Chairman Turner adjourned the public hearing.

Chairman Turner called the Work Session & Called Meeting to order.

Upon motion made by Commissioner Holcomb, seconded by Commissioner Bryant there was a unanimous vote to deny the application filed by Mr. Mark Byrd to redistrict property located at 36 Cannon Road Cleveland, GA 30528 (3.506 acre tract tax parcel # 076-130) from C1-Community Commercial District to C2 – Highway Business District.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Holcomb there was a unanimous vote to approve the application filed by Mr. Mark Byrd to redistrict property located at 36 Cannon Road Cleveland, GA 30528 (1.820 acre tract tax parcel # 076-130A) from C1- community Commercial District to C2 – Highway Business District.

The requested agenda item made by the Northeast Georgia Veterans Society (NGVS) to fund and erect a statue of the late Private Rondall Glaze (1926-1945) in Freedom Park had been withdrawn by the Northeast Georgia Veterans Society (NGVS).

Mr. Mitchell Posey, GBI Special Agent in Charge of the Appalachian Regional Drug Enforcement Office (AREDO) presented an application for the 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$446,121.00 through the Criminal Justice Coordinating Council (CJCC) for the funding of the multi-jurisdictional drug task force – for which White County serves as the fiscal agent. He stated that the task force consisted of 19 law enforcement officers and 2 administrative employees. He also presented the 2018 Memorandum of Understanding (MOU) for the operation of the Appalachian Regional Drug Enforcement Office (ARDEO) covering ten (10) local law enforcement agencies in the Northeast Georgia Region.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Nix there was a unanimous vote to approve the application for the 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$446,121.00 through the Criminal Justice Coordinating Council (CJCC) for the funding of the multi-jurisdictional drug task force – for which White County serves as the fiscal agent and the 2018 Memorandum of Understanding (MOU) for the operation of the Appalachian Regional Drug Enforcement Office (ARDEO) covering 10 (ten) local law enforcement agencies in the Northeast Georgia Region.

Responses received for the County's Request for Qualifications (RFQ) for Employee Benefits Broker Services and the scorecards associated with the review of the proposals submitted were presented to the Board of Commissioners.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Nix there was a unanimous vote to award the Employee Benefits Broker Services to MSI Benefits Group.

Mr. Melton introduced Mr. John Sell, the new Director of Community & Economic Development.

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

Information to be presented by Sheriff Neal Walden on recommended improvements to the White County Courthouse was tabled until the October 30, 2017 Work Session.

Upon a motion made by Commissioner Nix, seconded by Commissioner Holcomb there was a vote to approve the final lease-purchase documents with BB&T for the 2018 Kenworth T-800 4,000 Gallon Pumper / Tanker approved for purchase by the White County Board of Commissioners on October 3, 2016 with financing terms of three (3) years / 2.36% interest / \$251,450.00 principal – thereby approving the following resolution (County Resolution No. 2017-16). Chairman Turner and Commissioner Goodger voted in favor. Commissioner Bryant abstained. The motion passed by 4-0 vote.

RESOLUTION AUTHORIZING, AMONG OTHER THINGS, THE EXECUTION OF A
LEASE PURCHASE AGREEMENT WITH ASSOCIATION COUNTY
COMMISSIONERS OF GEORGIA

COUNTY RESOLUTION NO. 2017-16

WHEREAS, the Board of Commissioners of WHITE COUNTY, GEORGIA (the “County”) has determined that it is in the best interest of the County to lease certain equipment (the “Equipment”) from Association County Commissioners of Georgia (“ACCG”) pursuant to a Lease Purchase Agreement (the “Lease”); and

WHEREAS, in order to provide the funds needed to purchase the Equipment, ACCG will assign its interest in the Lease to Branch Banking and Trust Company (“BB&T”) pursuant to an Assignment, Transfer and Security Agreement (the “Assignment”).

NOW, THEREFORE, be it resolved by the Board of Commissioners of the County, and it is hereby resolved by the authority of the same, as follows:

Section 1. Findings. The obligation of the County to make the payments under the Lease is annually renewable as provided therein. The obligation of the County to make such payments will not constitute a debt of the County within the meaning of any constitutional or statutory limitation on indebtedness. The Lease does not directly or contingently obligate the County to make any payments beyond those appropriated for the County’s then current calendar year.

Section 2. Authorization of Lease. The Chairman and the Vice Chairman are hereby authorized, empowered and directed to execute and deliver the Lease. The Lease shall be in substantially the form attached hereto as Exhibit A, or with such changes therein as may be deemed necessary by the person executing the same to accomplish the purposes of the transactions contemplated therein and in this Resolution. The execution of the Lease shall constitute conclusive evidence that the Lease and any and all changes thereto have been approved by the person executing the same.

Section 3. Consent to Assignment. The County hereby consents to the execution and delivery of the Assignment.

Section 4. General Authority. The Chairman, Vice Chairman, Clerk and officers and employees of the County are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the documents herein authorized and as may be necessary to carry out the purposes and intents of this Resolution.

Section 5. Actions Ratified, Approved and Confirmed. All acts and doings of the Chairman, Vice Chairman, Clerk and officers and employees of the County which are in conformity with the purposes and intents of this Resolution are hereby ratified, approved and confirmed.

Section 6. No Personal Liability. No stipulation, obligation or agreement contained in this Resolution or in the documents authorized hereby shall be deemed to be a stipulation, obligation or agreement of any member of the Board of Commissioners, officer or employee of the County in his or her individual capacity, and no such member of the Board of Commissioners officer or employee shall be personally liable or be subject to personal liability or accountability.

Section 7. Repealing Clause. All resolutions or parts thereof in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section 8. Effective Date. This Resolution shall take effect immediately upon its adoption.

Section 9. Reimbursement. The County intends that the adoption of this Resolution will be a declaration of the County's official intent to reimburse expenditures for the Equipment from the proceeds of the financing described above.

Section 10. Bank Qualification. The Lease is hereby designated as a qualified tax-exempt obligation within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

Adopted on September 25, 2017.

White County, Georgia

By: s/Travis C. Turner
Chairman

Attest: s/Shanda Murphy
Clerk

EXHIBIT A

LEASE PAYMENTS

White County, GA Customer # 9910003604 NAICS = 921140
 Fire Pumper Contract No. 00003
 Dated
 Date 9/26/2017
 Delivery
 Date 9/26/2017

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service	Bond Balance	Total Bond Value
9/26/2017						251,450.00	251,450.00
12/26/2017	20,282.87	2.360%	1,483.56	21,766.42		231,167.13	231,167.13
3/26/2018	20,402.54	2.360%	1,363.89	21,766.42		210,764.59	210,764.59
6/26/2018	20,522.91	2.360%	1,243.51	21,766.42		190,241.68	190,241.68
6/30/2018					65,299.27	190,241.68	190,241.68
9/26/2018	20,644.00	2.360%	1,122.43	21,766.42		169,597.68	169,597.68
12/26/2018	20,765.80	2.360%	1,000.63	21,766.42		148,831.88	148,831.88
3/26/2019	20,888.32	2.360%	878.11	21,766.42		127,943.56	127,943.56
6/26/2019	21,011.56	2.360%	754.87	21,766.42		106,932.01	106,932.01
6/30/2019					87,065.70	106,932.01	106,932.01
9/26/2019	21,135.53	2.360%	630.90	21,766.42		85,796.48	85,796.48
12/26/2019	21,260.23	2.360%	506.20	21,766.42		64,536.25	64,536.25
3/26/2020	21,385.66	2.360%	380.76	21,766.42		43,150.59	43,150.59
6/26/2020	21,511.84	2.360%	254.59	21,766.42		21,638.76	21,638.76
6/30/2020					87,065.70	21,638.76	21,638.76
9/26/2020	21,638.76	2.360%	127.67	21,766.42			
6/30/2021					21,766.42		
	251,450.00		9,747.10	261,197.10	261,197.10		

Mr. Robert Hamrick, IT Director, presented quotes received for replacement of the primary system computer servers. He recommended awarding this purchase to Starwind in the amount of \$40,350.00, which provided a three (3) year support agreement.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Goodger there was a unanimous vote to award the purchase of the primary system computer servers to Starwind in the amount of \$40,350.00 to be paid from SPLOST.

Upon a motion made by Commissioner Bryant, seconded Commissioner Goodger there was a unanimous vote to approve a lease document for tower space at the county's Long Mountain Tower Site with WRWH Radio.

Upon a motion made by Commissioner Nix, seconded by Commissioner Bryant there was a unanimous vote to approve Addenda #1 to the Fiscal Year 2018 Contract with Legacy Link, Inc. for nutrition program services at the White County Senior Center.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Goodger there was a vote to award two (2) certificates of deposit (CD's) to United Community Bank - \$645,100.00 and \$33,200.00 – at an interest rate of .43% for a twelve (12) month term. Commissioner Nix and Commissioner Bryant opposed the vote. Motion passed by a 3-2 vote.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Holcomb there was a unanimous vote to appoint Chairman Turner as White County's Voting Delegate for the 2017 ACCG Legislative Leadership Conference.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Bryant there was a unanimous vote to approve the second set of Year End 2017 Budget Amendments, thereby adopting County Resolution No. 2017-15 as follows:

WHITE COUNTY BOARD OF COMMISSIONERS

RESOLUTION NO. 2017-15

A RESOLUTION

WHEREAS, there is a need to amend White County's Budget for the Fiscal Year 2016/2017 with the attached year-end budget amendments (#2);

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

RESOLVED, this 25th day of September, 2017.

WHITE COUNTY BOARD OF COMMISSIONERS

s/Travis 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

Attest:

s/Craig Bryant
Craig Bryant, District 4

s/Shanda Murphy
Shanda Murphy, County Clerk

G/L ACCOUNT #	ACCOUNT DESCRIPTION	DEBIT	CREDIT
100.710.54.4110.000	CAPITAL OUTLAY	11,443.00	
100.710.53.3140.000	SUPPLIES - OFFICE		11,443.00
	Reclass purchases to capital outlay due to cost of equipment		
100.720.51.1120.000	INSURANCE PREMIUM	2,100.00	
100.710.51.1110.000	OVERTIME		2,100.00
	Salary related funds in C of SC moved to cover excess cost in C of MC due to staff change		
100.725.51.1100.000	SALARY & WAGES	2,000.00	
100.710.51.1100.000	OVERTIME		2,000.00
	Salary related funds in C of SC moved to cover excess cost in C of MC due to staff change		
100.760.51.1100.000	SALARY & WAGES	6,600.00	
100.630.51.1100.000	SALARY & WAGES		6,600.00
	Adj. to Magistrate salaries by Code Enf due to staff change		
100.590.52.2300.000	PROF SVCS - INSTRUCTORS	32,213.00	
100.900.99.9999.000	CONTINGENCY		32,213.00
	Adj. due to P&R non-budgeted line item out of contingency		
100.900.99.9999.000	CONTINGENCY		67,000.00
100.280.51.1100.000	SALARIES & WAGES	37,000.00	
100.280.51.1110.000	OVERTIME	5,700.00	
100.280.51.1120.000	INSURANCE PREMIUM	10,700.00	
100.280.51.1130.000	SOCIAL SECURITY	7,900.00	
100.280.51.1150.000	RETIREMENT	3,000.00	
100.280.51.1170.000	WORKERS COMP	2,700.00	
	Adj. due to excess expenses in salary related accounts in Probate.		
100.770.51.1100.000	SALARIES & WAGES	30,400.00	
100.900.99.9999.000	CONTINGENCY		30,400.00
	Adj. due to excess expenses in salary related accounts in the Fire Dept.		

September 25, 2017 – Public Hearing, Work Session, & Called Meeting Minutes (con't)

275.125.52.2200.000	PROF SVCS - CARTER &	34,415.00	
275.125.57.5730.000	TRANSFER TO GEN FUND		34,415.00
	Adj. budgeted transfer amount minus Carter & Sloope expense on Freedom Park		
210.290.35.3500.000	SEIZED ASSETS SALES	1,250.00	
210.290.39.3999.000	FUND BALANCE		1,250.00
210.290.53.3130.000	SUPPLIES - OTHER OPERATIONS	8,200.00	
210.290.53.3200.000	EQUIPMENT < THAN \$2000		8,200.00
	adj. to nonbudgeted item and use of Fund Bal in Fund 210 Confiscated Assets		
222.290.35.1400.005	JAIL FEES -JUVENILE	200.00	
222.290.35.1400.006	JAIL FEES - MAGISTRATE	300.00	
222.290.35.1400.007	JAIL FEES - PROBATE	3,000.00	
222.290.35.1400.008	JAIL FEES-SUPERIOR	3,500.00	
222.290.35.1900.000	COUNTY JAIL FUND	3,000.00	
222.290.34.3440.000	JAIL FEES		10,000.00
	Adj. for non-budgeted items out of budgeted Jail Fees Fund 222 Jail Fund		
223.290.34.3481.000	CASH SALES		6,000.00
223.290.53.3130.000	SUPPLIES-OTHER	11,850.00	
223.290.39.3999.000	FUND BALANCE		5,850.00
	adj. needed due to excess and need for FB		
275.125.57.5729.000	TRANSFER TO PROD DEV		23,000.00
275.125.54.4105.000	CHAMBER WALL	23,000.00	
	Work done on wall at Chamber of Commerce		
275.125.53.3130.000	SUPPLIES - FREEDOM PARK	1,756.83	
275.125.55.5110.000	HELEN / CVB	3,075.28	
275.125.55.5140.000	DEPT OF NATURAL RESOURCES	480.98	
275.125.55.5150.000	SNCA	5,000.00	
275.125.55.5240.000	CHAMBER OF COMMERCE	1,733.21	
275.125.55.5241.000	C OF C - SPIRIT OF APPALACHIAN	5,000.00	
275.125.57.5730.000	TRANSFER TO GEN FUND		17,046.30
	Adj due to excess funds in H/M		

There was a consensus that a meeting would not be held on Monday, October 2, 2017.

There was a brief discussion regarding lifting the current local state of emergency due to Hurricane Irma as soon as the debris management proposals were reviewed.

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

The minutes of the September 25, 2017 Public Hearing, Work Session, and Called Meeting are hereby approved as stated this 6th day of November, 2017.

WHITE COUNTY BOARD OF COMMISSIONERS

s/Travis C. Turner
Travis Turner, Chairman

s/Terry D. Goodger
Terry 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