

AGENDA
WALKER COUNTY
BOARD OF COMMISSIONERS
WALKER COUNTY COURTHOUSE ANNEX III, 201 S MAIN STREET
LAFAYETTE, GEORGIA 30728

The following constitutes the agenda for the regular scheduled meeting of the Board of Commissioners of Walker County, Georgia to be held on July 8, 2021 at 7:00 P.M.

REGULAR SCHEDULED MEETING

- **Invocation**
Given by Chairman Shannon Whitfield
- **Pledge**
United States and Georgia Flag
- **Chairman Whitfield will Call to Order the Regular Meeting**
Clerk establishes a Quorum is present
- **Approve Agenda**
- **Minutes**
Approval of the minutes for the Regular Scheduled Meeting held June 24, 2021
- **Public Comment**
- **Informational**
Nadine Gilliland, Walker County CERT (Community Emergency Response Team)
- **New Business**
Resolution R-029-21 to Appoint a Chairperson to the Walker County Historic Preservation Commission

Resolution R-030-21 to Declare Property from Various Departments as Unserviceable Surplus and Removed from the County Inventory

Resolution R-031-21 to Not Require the Issuance of Mobile Home Decals

Resolution R-032-21 to Approve Use of the Wardlaw Building by the Walker County African American Historical and Alumni Association

Surplus of Vehicles
- **Commissioner Comments**
- **Executive Session**
- **Adjourn**



**Walker County Governmental Authority
101 South Duke Street, P.O. Box 445
LaFayette, GA 30728
706-638-1437**

**Minutes of the Regular Scheduled Meeting
June 24, 2021**

I. Call to Order:

Chairman Whitfield called to order the Regular Scheduled Commissioner's Meeting held at Annex III, 201 S. Main Street, LaFayette, Georgia at 7:00 PM on June 24, 2021.

II. Attendees:

The following were present: Chairman Shannon Whitfield, Commissioner Robert Blakemore, Commissioner Mark Askew, Commissioner Brian Hart, Commissioner Robert Stultz, Public Relations Director Joe Legge, Economic Development Director Robert Wardlaw, Legal and Policy Director David Gottlieb, Walker County Police Chief Mitchell Moore, Planning and Zoning Director David Brown, Deputy Chief Nathan Farrow, Planning Commission Chair Michael Haney, Board Clerk Whitney Summey and County Clerk Rebecca Wooden. Other guests signed in at the meeting as well. Please see the attached sign in sheet.

III. Approval of Agenda:

Commissioner Blakemore made a motion to approve the agenda, seconded by Commissioner Stultz, 4 ayes and 0 nays, motion was approved.

IV. Public Hearing:

Chairman Whitfield explained that the public hearing was for a rezone request from Catherine Kasch for property located at 0 Happy Valley Road Rossville, GA 30741 and it has been tabled at the Planning Commission meeting. He asked if there was anyone that would like to speak on the matter, there were none.

V. Approval of Minutes:

Commissioner Hart made a motion to approve the minutes from the Regular Scheduled Meeting held May 27, 2021, seconded by Commissioner Blakemore, 4 ayes and 0 nays, motion was approved.

Commissioner Askew made a motion to approve the minutes from the Work Session/Special Called Meeting held June 23,

2021, seconded by Commissioner Stultz, 4 ayes and 0 nays, motion was approved.

VI. Public Comment:

Chairman Whitfield asked if there was anyone that would like to speak in the Public Comment section. Dewayne Brown came forward and explained he is a lifelong employee of the county and he is here to speak about the Defined Benefit Pension Plan on behalf of himself and other members on this plan. He stated there are two different retirement plans in the county and the one that he is speaking about is under a salary cap freeze from 2012. He stated this happened without many employees' knowledge and they do not have any other alternative plan options. He added that many employees have requested documentation on the plan multiple times and they did not receive any and turned to open records requests to get the information. He stated there is a lack of meaningful progress and it is putting the employees in financial harm with their retirement. He stated two days ago Chairman Whitfield and Commissioner Hart had a meeting with employees on this Defined Benefit Plan at the request of Sheriff Steve Wilson. He stated it is the Boards duty to work to resolve the issues with the plan. He asked the Board to make a commitment to fix this plan and improve the communication over this plan. Commissioner Askew stated he understands the frustration as he was a former county employee on this plan himself. He stated the Board has discussed this issue on several occasions and they will make it right, and that their discussions are the reason there are meetings coming up on this plan. He asked the employees to give them a little time to work on this issue since they are getting things together to try to resolve this issue, and they will do more communicating with the employees. Commissioner Stultz stated the board has been concerned with this from day one and they are working very hard to get this fixed and they will make sure they are better channels of communication.

VII. Informational:

Chairman Whitfield asked Gretchen Neal, Drug Court Coordinator, Lookout Mountain Judicial Circuit to come forward and speak about their program. Gretchen Neal stated over the last ten years, with the rapidly growing Jail populations, the State has invested heavily in accountability courts. In 2017 Chief Judge Graham and Judge Thompson began working to establish this accountability court. Accountability courts provide alternative sentencing for qualifying persons with substance use disorders or mental illness and they lower recidivism and prison costs by breaking the cycle of addiction. The goal of the program is to help participants become productive, tax paying citizens who provide for their families. She stated since the implementation of the program they have served 93 participants with 29 successfully completing the program.

They currently have 45 active participants and 15 referrals. They have reached the program's capacity but have applied for a federal grant to help them grow. She gave some statistics that showed this program is excelling, but stated there is still much work they look forward to completing. She also wanted to thank Walker County for providing their building. Commissioner Stultz asked if these offenders are first time offenders. Gretchen Neal stated these are repeat offenders and this is usually their last chance at breaking the cycle. Chairman Whitfield stated this is an incredible program that has done some amazing work in the county.

VIII. New Business:

- I. Chairman Whitfield read Resolution R-025-21, and made a motion to appoint Doris White to the Rossville Public Library Board. Commissioner Blakemore seconded the motion, 4 ayes and 0 nays, motion carried.
- II. Chairman Whitfield read Resolution R-020-21, and made a motion to appoint Vicki Garner to the Chickamauga Public Library Board. Commissioner Stultz seconded the motion, 4 ayes and 0 nays, motion carried.
- III. Terry Gilreath, Chief Appraiser, came forward with an Annual Property Assessment Update. He gave some general information about their office and work. He also explained many of the reasons for the recent property tax assessment increases across the county. He stated their assessment has to be at a certain ratio that the citizens are taxed at and the current housing market is impacting their assessment very heavily. He also added they are going to start making adjustments yearly so they can avoid these large increases in future. The Board thanked him for his information.
- IV. Chairman Whitfield read Resolution R-027-21, and made a motion to appoint Karen Deck to the Walker County Board of Assessors. Commissioner Askew seconded the motion, 4 ayes and 0 says, motion carried.
- V. Chairman Whitfield read the Proclamation for Appreciation for Ferrell Brown. Chairman Whitfield stated he would like to express his appreciation for Ferrell Brown's service and dedication to the Board of Assessors and presented him with the proclamation. Ferrell Brown wanted to say thank you and he feels undeserving of this. He stated he remembers when he was first appointed and wondered where it would take him. He said it has been a pleasure to serve since he was not ready to retire. He is glad he took this opportunity and has enjoyed every minute of it.
- VI. Chairman Whitfield read the Proclamation for Appreciation for Public Health Professionals. He presented the proclamation to Tracie Pevehouse who is the County Nurse

Manager at the Health Department. He said she had just announced her retirement and said she would be greatly missed. He thanked her for all of her hard work and dedication especially during the Covid-19 pandemic. Tracie Pevehouse thanked Chairman Whitfield, Commissioner Stultz, and Dikaya Porter for all of their work and help with the call center. She thanked Dr. Smith for volunteering and recognized her coworker Tyra Rogers for the 25 years of service they have together.

- VII. Chairman Whitfield read Subgrant J22-8-032 and stated this is what funds the Adult Felony Drug Courts operation. He stated Walker County is the fiscal agent and they oversee the funds. He stated the County provides \$20,000 per year of matching funds for this grant. Commissioner Blakemore made a motion to approve, Commissioner Stultz seconded the motion, 4 ayes and 0 nays, motion carried.
- VIII. Chairman Whitfield read Subgrant J22-8-073 and explained this grant is funding for the Mental Health Court. Commissioner Stultz made a motion to approve, Commissioner Blakemore seconded the motion, 4 ayes and 0 nays, motion carried.
- IX. Chairman Whitfield read Purchase Order Number 2021-00001465 for a 2021 Ford F150 Supercrew Cab 4x4 Responder 3.5L V6 for Walker County Fire and Rescue totaling \$36,329.84. Deputy Chief Nathan Farrow stated this request is part of the replacement plan that began a few years ago. He stated this will replace a 2009 Ford F150 being used by the Fire Marshal's Office. This replacement will allow the Fire Marshal's Office to carry more equipment to inspections, investigations, and fire safety education classes. Chairman Whitfield stated this is in the replacement plan and is budgeted to come out of the general fund. Commissioner Askew made a motion to approve, Commissioner Hart seconded the motion, 4 ayes and 0 nays, motion carried.
- X. Chairman Whitfield explained the Fire Services Agreement between Walker County and the City of Rossville for the provision of automatic aid for the protection of certain City of Rossville and county roads. Deputy Chief Nathan Farrow stated the current policy is for each area to ask for a request before the other can come out, with this agreement dispatch will be able to send both agents out immediately without the request. Chairman Whitfield stated these types of agreements are phenomenal and help with many things. He stated this is the first automatic aid agreement the County has established with the City of Rossville. Commissioner Hart asked if there were any other areas needing agreements like this. Deputy Chief Farrow stated everywhere in the County is covered with the exception of LaFayette, but it is under way currently. Commissioner

Blakemore made a motion to approve, seconded by Commissioner Stultz, 4 ayes and 0 nays, motion carried.

- XI. Chairman Whitfield asked Planning Commission Chair, Michael Haney to come forward and present their report. He stated he has four recommendations from the Planning Commission's May 20, 2021 meeting to bring before the Board. He stated there have been a lot of inquiries on tiny homes within the County so he and County Attorney David Gottlieb drafted a document to replace Section 22-26-2B2 entirely. He read the draft and stated the Planning Commission wanted to make the following changes to the draft; remove the R1 zoning, strike the conditional use on all tiny homes, eliminate the 500 foot radius and keep the 300 foot radius of another residential structure, add the exception of no radius requirement in a mobile home park, and add tiny homes are not allowed in RV parks. Commissioner Askew asked why R2 zoning was not included since it is residential zoning. Michael Haney stated it was because R2 has multi family homes to keep from having dual tiny homes. Michael Haney stated private drives are another big issue. Section 22-4013 and Section 22-4013A would be deleted entirely and replaced with the draft he read. He stated the Planning Commission recommended keeping it four homes on a private drive. He stated the five acre requirement for an A1 zoning is an issue they have a large amount of requests on. He explained the Planning Commission could not come to a resolution and they wanted to recommend keeping it the same. He stated the last recommendation was to reduce the road frontage requirements for dwellings from 100 feet to 75 feet in all zoning districts except A1. Commissioner Askew made a motion to accept the Planning Commission's recommendations on tiny houses with the addition of allowing tiny homes in R1 and R2 zoning. Commissioner Blakemore seconded the motion. 4 ayes and 0 nays, motion carried. Michael Haney read the drafted recommendation on the private drive issues which would increase them to eight homes on a private drive. He stated the Planning Commission recommended keeping the ordinance at four homes on a private drive. Chairman Whitfield asked what the vote count of the Planning Commission was, Commissioner Hart stated it was 7 ayes and 3 nays. Commissioner Askew stated eight private drives would require a subdivision, he said that seven would not require a subdivision. Commissioner Askew stated there are several private drives in the county that are already over the four and there are many areas that could be developed if there was an increase from the four to seven homes on a private drive. Chairman Whitfield discussed the issue of citizens wanting to know why their private drives are not paved or when they will be paved and he feels an increase would cause more of these issues. Michael Haney stated this recommendation would require deeded easement specifications and shared responsibility of the property owners for the private drive. He

added that the three acre requirement would have to have a minimum of twenty one acres to get up to the maximum of seven homes on a private drive. Commissioner Stultz stated Terry Gilreath had mentioned the increase in large tract sales in the county and the increase to seven would help with growth in the county. Commissioner Hart said he was at the Planning Commission meeting when they discussed recommendations. He believes the problems the Planning Commission and himself had with the increase is the concern with fire support, sheriffs support, and the number of people sharing responsibility for the drive. He added this is a concern in rural areas where large tracts could be subdivided with this increase of homes on private drives. Commissioner Askew stated he would like to make a motion to keep all of these recommendations but increase the number of homes allowed to seven. Chairman Whitfield asked if there are stormwater provisions. Michael Haney said all stormwater requirements would still be in effect. Chairman Whitfield asked the difference between allowing seven and eight. Commissioner Askew stated the difference is eight would fall under subdivision requirements. Planning and Zoning Director David Brown stated at eight it would fall under subdivision requirements and the subdivision would take all of the responsibility of the road, utilities, stormwater, etc. Chairman Whitfield asked how this will affect stormwater and retention pond requirements. David Brown stated this should not cause any major stormwater issues or require retention ponds because each property would be under individual criteria and each property would not be disturbing enough land at one time to require a retention pond. Commissioner Hart made a motion to accept the Planning Commission's recommendation to keep it at four residences per private drive. Motion failed without a second. Commissioner Stultz made a motion to increase the four to seven residents on a private drive and keep all other recommendations from the Planning Commission. Commissioner Askew seconded the motion, 3 ayes and 1 nay, motion carried. Michael Haney stated the recommendation of the Planning Commission was to keep everything as is on the five acre requirement in A1. Commissioner Askew made a motion to accept the recommendation pertaining to A1, Commissioner Blakemore seconded the motion, 4 ayes and 0 nays, motion carried. Michael Haney stated the Planning Commission recommended to decrease the road frontage from 100 to 75 feet in R1. R2. and R3. Commissioner Blakemore made a motion to accept the recommendation, Commissioner Stultz seconded the motion, 4 ayes and 0 nays, motion carried.

- XII. Chairman Whitfield read Resolution R-028-21 for the purpose of enacting a temporary emergency moratorium on the acceptance of application for zoning approvals, building permits, land disturbance permits and any other approvals or permits, or processing of or issuance of decisions on any

such applications, regarding new large scale commercial poultry house operations or the considerable expansion of existing confined feeding/commercial poultry house operations. He explained there was a work session last night regarding this resolution. He stated there were a few questions and he is working with other counties to try and find a solution to this issue. Commissioner Hart made a motion to approve, seconded by Commissioner Stultz, 4 ayes and 0 nays, motion carried.

XIII. Chairman Whitfield stated the rezone request had been tabled by the Planning Commission and he would recommend it be tabled by the Board and it will go back before the Planning Commission and the Board again in the future. Commissioner Blakemore made a motion to approve, seconded by Commissioner Askew, 4 ayes and 0 nays, motion carried.

XIV. Chairman Whitfield read the Departmental Statistics for May 2021.

IX. Commissioner Comments:

Commissioner Blakemore thanked everyone for their support and encouraged anyone to reach out to the Board with any questions or concerns. Commissioner Askew thanked everyone for their participation and for each department that is in the county for all of their hard work. Commissioner Hart gave information on the City of LaFayette's 4th of July firework showing coming up and encouraged everyone to come out. Commissioner Stultz said the Road Departments mowing crew has been doing a great job with mowing the right of ways and gave information on the Chattanooga Valley Church of the Nazarene's firework show. Chairman Whitfield encouraged citizens to bring their animals inside as many fireworks shows will begin in the next few days. He also thanked everyone for coming out and for their support.

X. Executive Session:

Chairman Whitfield made a motion to go into Executive Session to discuss real estate and legal matters, Commissioner Askew seconded the motion, with 4 ayes and 0 nays the motion carried. Executive session began at 9:21 PM.

Chairman Whitfield called the meeting back to order from the Executive Session at 10:29 PM, explaining no action was taken from the Executive Session.

Adjournment:

Commissioner Hart made a motion to adjourn the meeting, Commissioner Askew seconded the motion, motion carried and the meeting was adjourned at 10:32 PM.

Shannon K. Whitfield
Chairman/CEO
Walker County Georgia

Date

Minutes prepared by: Walker County Board Clerk, Whitney Summey

Walker County Regular Scheduled Commissioner's Meeting

<u>Roll Call</u>	<u>06/24/2021</u>	<u>Present/Not Present</u>
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Commissioner Blakemore		Present
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Commissioner Askew		Present
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Chairman Whitfield		Present
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Commissioner Hart		Present
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Commissioner Stultz		Present
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Sign In Sheet

Regular Scheduled Commissioner's Meeting

June 24, 2021

7:00 PM

Name

Address

Dakya Porter

Michael Haring

Kenneth B. Kelly

ROBERT WARDLAW

Dwayne Brown

Cherish Brown

JOHN HOWARD

Roy

Ipha Rodgers

Tracy Penhose



RESOLUTION R-029-21

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF WALKER COUNTY TO
APPOINT A CHAIRPERSON OF THE WALKER COUNTY HISTORIC
PRESERVATION COMMISSION**

WHEREAS, the Board of Commissioners of Walker County ("Board") is the governing authority of Walker County, Georgia; and

WHEREAS, one of the duties delegated to the Chairman of the Board is to appoint members and chairpersons to all committees of the Board with the approval of the Board; and

WHEREAS, Chairman Shannon K. Whitfield submits the following appointment to serve as the Chairperson of the Walker County Historic Preservation Commission:

John Culpepper - for a term ending on December 31, 2022

THEREFORE, BE IT RESOLVED by the Board of Commissioners of Walker County, Georgia that the appointment of John Culpepper to serve as Chairperson of the Walker County Historic Preservation Commission is approved.

SO RESOLVED AND ADOPTED this 8th day of July, 2021.

ATTEST:

WALKER COUNTY, GEORGIA

REBECCA WOODEN, County Clerk

SHANNON K. WHITFIELD, Chairman

(SEAL)

The foregoing Resolution received a motion for passage from Commissioner _____, second by Commissioner _____, and upon the question the vote is _____ ayes, _____ nays to adopt the Resolution.



RESOLUTION R-030-21

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF WALKER COUNTY TO DECLARE PROPERTY FROM VARIOUS DEPARTMENTS AS UNSERVICEABLE SURPLUS AND REMOVED FROM THE COUNTY INVENTORY

WHEREAS, O.C.G.A. § 36-9-2 provides that the county governing authority shall have the control of all property belonging to the county and may, by order entered on its minutes, direct the disposal of any real property which may lawfully be disposed of and make and execute good and sufficient title thereof on behalf of the county; and

WHEREAS, various departments within Walker County Government have requested the property listed on Exhibit A be deemed unserviceable surplus and further requests that the property be removed from the County inventory; and

WHEREAS, notice of a public auction of Walker County Government surplus is scheduled to be published on July 14, 2021, in the Walker County Messenger, the legal organ of Walker County;

THEREFORE, BE IT RESOLVED by the Board of Commissioners of Walker County that the property listed in Exhibit A attached hereto, and made a part hereof, be hereby declared unserviceable surplus and removed from the County inventory. Items listed in Exhibit A shall be sold at public auction at the Walker County Ag Center, 10052 Highway 27 in Rock Spring, GA at 6:00 p.m. on Thursday, July 22, 2021.

SO RESOLVED AND ADOPTED this 8th day of July, 2021.

ATTEST:

WALKER COUNTY, GEORGIA

REBECCA WOODEN, County Clerk

SHANNON K. WHITFIELD, Chairman

(SEAL)

The foregoing Resolution received a motion for passage from Commissioner _____, second by Commissioner _____, and upon the question the vote is _____ ayes, _____ nays to adopt the Resolution.

EXHIBIT A Walker County Vehicles to Surplus

Jul-21

Unit #	Dept	Mileage	Year	Make	Model	VIN
13	Road	304,901	2008	Ford	F-150	1FTRX14W88KC86607
25	Data Processing/MIS	200,296	2010	Ford	Expedition XLT 4x4	1FMJU1G51AEB51400
55	Road	140,092	2004	Ford	F550	1FDAX57P94EB87307
152	Code Enforcement	134,833	2005	Chevrolet	Trailblazer	1GNDT135852246776
174	Road	100,993	2005	Ford	F550	1FDAF57P45EB86408
219	Road	129,539	2008	Ford	F550	1FDAX57R68EA43477
238	Road	183,899	2009	Ford	F550	1FDAW57R89EA63704
239	Road	229,477	2009	Ford	F350	1FDWW37R99EA63706
415	District Attorney	185,809	2006	Chevrolet	Impala	2G1WB58K369371636
710	District Attorney	213,479	2005	BMW	X3	WBXPA93495WD08356



RESOLUTION R-031-21

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF WALKER COUNTY TO
NOT REQUIRE THE ISSUANCE OF MOBILE HOME DECALS**

WHEREAS, O.C.G.A § 48-5-492 has been revised to provide the County Board of Commissioners the authority to determine whether a decal is required to be issued and affixed to each mobile home as evidence of the payment of all ad valorem tax due by the mobile home owner; and

WHEREAS, the Board of Commissioners of Walker County ("Board") is the governing authority of Walker County, Georgia; and

WHEREAS, the Walker County Tax Commissioner has informed the Walker County Board of Commissioners that the issuance of said mobile home decals is an unnecessary expense for Walker County, and the non-issuance of the mobile home decal does not relieve the mobile home owner from payment of the ad valorem tax;

THEREFORE, BE IT RESOLVED by the Board of Commissioners of Walker County that a decal is not required to be issued and affixed to each mobile home as evidence of the payment of all ad valorem tax due by the mobile home owner; and

IT IS FURTHER RESOLVED that nothing in this resolution shall relieve the mobile home owner from payment of all applicable ad valorem taxes, or the County Tax Commissioner from the collection of said ad valorem taxes.

SO RESOLVED AND ADOPTED this 8th day of July, 2021.

ATTEST:

WALKER COUNTY, GEORGIA

REBECCA WOODEN, County Clerk

SHANNON K. WHITFIELD, Chairman

(SEAL)

The foregoing Resolution received a motion for passage from Commissioner _____, second by Commissioner _____, and upon the question the vote is _____ ayes, _____ nays to adopt the Resolution.



RESOLUTION R-032-21

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF WALKER COUNTY TO
APPROVE USE OF THE WARDLAW BUILDING BY THE WALKER COUNTY
AFRICAN AMERICAN HISTORICAL AND ALUMNI ASSOCIATION**

WHEREAS, the Walker County Board of Commissioners wishes to recognize and honor the countless contributions made by African Americans in Walker County, both past and present; and

WHEREAS, Walker County owns the "Wardlaw Building," located at 309 North Main Street in LaFayette; and

WHEREAS, the Marsh House Board of Trustees, the Walker County Historical Society and Northwest Georgia Arts Guild have previously utilized the Wardlaw Building for the benefit of the community; and

WHEREAS, there exists a group of Walker County citizens united in an effort to establish a Walker County African American Museum and Cultural Center that will result in the social, historical and economic advancement of all citizens of Walker County; and

WHEREAS, the Wardlaw Building is currently being vacated and is appropriately situated to accommodate the proposed museum;

THEREFORE, the Board of Commissioners of Walker County does hereby resolve, that in keeping with established practices of community use of this building, to make this space available for the purpose of establishing the first ever Walker County African American Museum and Cultural Center; and

BE IT FURTHER RESOLVED that the Board authorizes and empowers the Chairperson to execute a lease agreement with the Walker County African American Historical and Alumni Association, Inc. for use of this County owned asset, effective November 1, 2021.

SO RESOLVED AND ADOPTED this 8th day of July, 2021.

ATTEST:

WALKER COUNTY, GEORGIA

REBECCA WOODEN, County Clerk
Chairman

SHANNON K. WHITFIELD,

(SEAL)

The foregoing Resolution received a motion for passage from Commissioner _____, second by Commissioner _____, and upon the question the vote is _____ ayes, _____ nays to adopt the Resolution.