#### **AGENDA**

#### REGULAR SCHEDULED MEETING OF THE GOVERNING AUTHORITY OF WALKER COUNTY, GEORGIA

Walker County Courthouse Annex III, 201 S Main Street LaFayette, Georgia 30728

Date:

Thursday May 23, 2019

Time:

Immediately following the Public Hearing beginning at 6:00 PM

**Open of the Regular Meeting** 

Minutes:

Approval of the minutes from two Public Hearings and the Regular Scheduled Meeting that were held on May 9, 2019

Scheduled Meeting that were held

**New Business:** 

- I. Proclamation Elder Abuse Awareness Day
- II. Proclamation Foster Care Month
- III. Proclamation Honeybee Festival Day
- IV. Ordinance O-05-19 to amend Ordinance No. R-017-17 Creating A Special District For the Provision of Public Health Facilities and Services; To Amend the Date For Termination of the Special District; And For Other Purposes
- V. Resolution **R-011-19** to appoint Kaye Thurman to the LaFayette-Walker County Library Board
- VI. Resolution **R-012-19** to appoint David Brown as the local government agent for purposes of the Georgia Mobile Home Act

Adjournment:

The Regular Scheduled Meeting will be adjourned

**Public Comment:** 

Commissioner Whitfield will open the floor for general discussion on matters relating to Walker County. Speakers are asked to limit their comments to 5 minutes.

The next scheduled Commissioner Meeting will be held on Thursday, June 13, 2019 at 6:00 PM.



## Walker County Governmental Authority Office of the Commissioner 101 South Duke Street, P.O. Box 445 LaFayette, GA 30728 706-638-1437 Minutes of the Scheduled Public Hearing

May 9, 2019

I. Call to order

Commissioner Whitfield called to order the Public Hearing held at Walker County Courthouse Annex III, 201 S Main Street, LaFayette, Georgia at 6:00 PM on May 9, 2019.

II. Attendees

The following persons were present: Commissioner Shannon Whitfield, Legal & Policy Director Matt Williamson and Public Relations Director Joe Legge. Other guests signed in at the meeting as well, please see the attached sign in sheet.

III. Invocation:

Given by Commissioner Shannon Whitfield

IV. Pledge:

**United States Flag** 

V. Pledge:

Georgia Flag

#### VI. Open of Public Hearing:

I. Commissioner Whitfield reviewed a request from Jeffery Paul Edge Jr. requesting a rezone from I to A-1 for property located at 0 Westview Drive, LaFayette, Georgia 30728. Tax Parcel # 0-473-032. He asked if anyone was in attendance that would like to speak in opposition of this request. Hearing none, would anyone like to speak in favor of this request. Jennifer Tudor of Prime Realty came forward to explain that her brother is sick and

couldn't attend and Jeffery Edge is out of town. Ms. Tudor explained the family had asked for Agriculture and the concern of chicken houses was brought forward from the previous meeting. The family is more than willing to put into documentation to have no commercial chicken houses. These are five acre tracts and she wants to make sure everyone has clarification that there will be no commercial chicken houses on the property. Commissioner Whitfield thanked Ms. Tudor and asked if anyone else had any questions or comments. No one came forward so Commissioner Whitfield introduced Mr. Philip Cantrell, Chair of the Planning Commission. Mr. Cantrell stated there were several large pieces of property that could be sold and put together that would be large enough for commercial chicken houses. The realtor stated that it could be sold with restrictions to the deed that when selling this property it can't be combined and commercial chicken houses built. Mr. Cantrell stated the Planning Commission would not have a problem approving with these stipulations.

II. Commissioner Whitfield reviewed a request from Jemima and Thomas Shirley requesting a rezone from R-1 to R-2 for property located at 0 Rogers Road, Rossville, Georgia 30741. Tax Map # 0-173-003. Commissioner Whitfield asked if anyone was present to speak in opposition of this request. Hearing none, he asked if there was anyone who would like to speak in favor of this request. Mr. Shirley stated he would be glad to answer any questions. Mr. Cantrell stated that the request was approved by the Planning Commission; a lot of what is there would have to be determined by the Environmental Health.

#### VII. Adjournment: The Public Hearing was adjourned at 6:05

#### VIII. Public Comment

{Audio Recording of Public Hearing and comments are on file in Commissioner's Office – 19-05-09}

#### IX. Commissioner Comments

{Audio Recording of Commissioner's Hearing comments are on file in Commissioner's Office – 19-05-09}

| Minutes approved by:   |            |  |
|--|------------|--|
| Character IV Miles Call  | · <u> </u> |  |
| Shannon K. Whitfield<br>Sole Commissioner<br>Walker County Georgia | Date       |  |

Minutes prepared by: Walker County Clerk, Rebecca Wooden



# Walker County Governmental Authority Office of the Commissioner 101 South Duke Street, P.O. Box 445 LaFayette, GA 30728 706-638-1437 Minutes of the Scheduled Public Hearing May 9, 2019

#### I. Call to order

Commissioner Shannon Whitfield called to order the Public Hearing held at Walker County Courthouse Annex III, 201 S Main Street, LaFayette, Georgia at 6:06 PM on May 9, 2019.

#### II. Attendees

The following persons were present: Commissioner Shannon Whitfield, Legal & Policy Director Matt Williamson and Public Relations Director Joe Legge. Other guests signed in at the meeting as well, please see the attached sign in sheet.

#### III. Open of Public Hearing:

I. Commissioner Whitfield read the Agenda for Ordinance No. O-05-19, an Ordinance Amending Ordinance No. R-017-17 Creating a Special District for the Provision of Public Health Facilities and Services; To Amend The Date For Termination Of The Special District; and For Other Purposes. He asked Matt Williamson to read and explain this Ordinance. Mr. Williamson explained the reason is because the date differential of the real property versus manufactured housing. The intent is to make this special tax and special district only applicable for two years. In order to make that apply to both real property and prebuilt manufactured housing we had to distinguish those dates. Otherwise the real property owners would have paid twice but owners of prebuilt manufactured homes would not have paid twice. So therefore

that is the reason for the date differential. The Ordinance amends the original ordinance and creates a new sunset date for the original ordinance that corresponds to the date differential so this Public Health Facilities fee will end after two years rather than three years for all property owners in Walker County. Commissioner Whitfield explained as with any Ordinance new or a change will be advertised in the County organ which is the Walker County Messenger & two Public Hearings as well. So even in a position to eliminate the fee we still have to go through the same legal process, public notice. He explained that what we have collected and expect to collect through the remainder of the year will give us the funding and allow us to sunset this in two years instead of three years. Simply put this has saved the tax payers one third of what we had originally thought. Also, when we did this in August 2017 we had not reached a settlement with Erlanger and potentially the order we received called for legal fees, court costs, interest back several years and possible financing. We estimated an additional two million dollars in cost. Fortunately we were able to negotiate a settlement with Erlanger where they forgave the back accrual of court costs, interest and attorney fees and also willing to finance for 36 months. All of this going forward interest free saved tax payers of Walker County an estimate of close to two million dollars. This was one reason we could reduce this sooner. We have made quarterly payments of \$650,000.00 all on time with positive cash flow. This is all restricted funds due to this being a special tax district only for use of Public Health Facilities. It's a great day in Walker County that we have been able to reach this goal in two years. Are there any questions, comments or concerns on this? No one had any comments or questions.

#### IV. Adjournment:

The Public Hearing was adjourned at 6:12

#### VIII. Public Comment

{Audio Recording of Public Hearing and comments are on file in Commissioner's Office – 19-05-09}

#### IX. Commissioner Comments

{Audio Recording of Commissioner's Hearing comments are on file in Commissioner's Office – 19-05-09}

| Minutes approved by:   |          |  |
|--|----------|--|
| Shannon K. Whitfield<br>Sole Commissioner<br>Walker County Georgia | <br>Date |  |

Minutes prepared by: Walker County Clerk, Rebecca Wooden



## Walker County Governmental Authority Office of the Commissioner 101 South Duke Street, P.O. Box 445 LaFayette, GA 30728 706-638-1437 Minutes of the Regular Scheduled Commissioner's Meeting

May 9, 2019

#### Call to order

Commissioner Whitfield called to order the Regular Scheduled Meeting of the Walker County Government. This meeting was held at Walker County Courthouse Annex III, 201 S Main Street, LaFayette, Georgia at 6:12 PM on May 9, 2019

#### **Attendees**

The following persons were present: Commissioner Shannon Whitfield, Legal and Policy Director Matt Williamson, Public Relations Director Joe Legge, Landfill Manager Paine Gily. Other guests signed in at the meeting as well, please see the attached sign in sheet.

#### **Invocation and Pledge**

The Invocation and both Pledges were given by Commissioner Whitfield at the beginning of the first Public Hearing that was held tonight.

#### **Minutes**

Commissioner Whitfield approved the minutes from the Special Called Commissioner's Meeting that was held on April 18, 2019

#### Open of the Regular Scheduled Meeting

Commissioner Whitfield read the Proclamation – Senior Citizens
 Day. He announced the celebration at the Civic Center on May 15 for all of our Senior Citizens. Lunch will be provided and

- entertainment and he would like to invite all Senior Citizens in Walker County to take part in this celebration.
- II. Commissioner Whitfield discussed the Memorandum of Understanding, the Family Crisis Center of Walker, Dade, Catoosa & Chattooga Counties, Inc. This is validated on a yearly basis and has been in place for a couple of decades. They do an outstanding job and we want to continue, I am signing this into record.
- III. Commissioner Whitfield explained more on the Walker County Department Statistics report. Our Animal Shelter always needs volunteers and has been successful on their euthanasia rate. He reviewed Codes, Fire Department calls. Commissioner Whitfield introduced Paine Gily, Manager of Walker County Landfill to discuss how successful the Tire Amnesty Day was a few weeks ago.
- IV. Commissioner Whitfield stated that Jeffery Paul Edge Jr. requested a rezone from I to A1 for property located at 0 Westview Drive, LaFayette, Georgia 30728. Tax Parcel # 0-473-032 Commissioner Whitfield explained that he was going to approve this request but would be adding to the approval the restrictions to the deed of no commercial chicken houses allowed on the property.

#### Old Business:

 Commissioner Whitfield explained this item was tabled at a prior meeting so it is considered Old Business. Jemima & Thomas Shirley request a rezone from R-1 to R-2 for property located at 0 Rogers Road, Rossville, Georgia 30741. Tax Parcel # 0-173-003. Upon recommendation of the Planning Commission I am going to approve this request.

#### III. Adjournment

Commissioner Whitfield adjourned the meeting at 6:23 PM

#### IV. Public Comment

{Audio Recording of Commissioner's Meeting comments is on file in the Commissioner's Office – 19-05-09}

#### V. Commissioner Comments

{Audio Recording of Commissioner's Meeting comments is on file in the Commissioner's Office -19-05-09}

| Minutes approved by:   |      |  |
|--|------|--|
| Shannon K. Whitfield Sole Commissioner Walker County Georgia | Date |  |

Minutes prepared by: Walker County Clerk, Rebecca Wooden

## Sign In Sheet

## **Regular Scheduled Commissioner's Meeting**

May 9, 2019

## 6:00 PM

| <u>Name</u>      | <u>Address</u>   | <u>Telephone</u> |
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#### COUNTY OF WALKER STATE OF GEORGIA

#### **ORDINANCE NO. 0-05-19**

AN ORDINANCE AMENDING ORDINANCE NO. R-017-17 CREATING A SPECIAL DISTRICT FOR THE PROVISION OF PUBLIC HEALTH FACILITIES AND SERVICES; TO AMEND THE DATE FOR TERMINATION OF THE SPECIAL DISTRICT; AND FOR OTHER PURPOSES

**WHEREAS**, the Sole Commissioner of Walker County is the county governing authority for Walker County, Georgia (1939 Georgia Laws No. 39); and

WHEREAS, Article IX, Section 2, Paragraph 3(a)(3) of the Constitution of the State of Georgia authorizes county governing authorities to exercise powers and to provide for public health facilities and services; and

**WHEREAS**, Article IX, Section 2, Paragraph 6, of the Constitution of the State of Georgia authorizes county governing authorities to create special tax districts within the County for the provision of such services; and

**WHEREAS**, Ordinance No. R-017-17 created the Walker County Public Health Facilities and Services District comprising the entire area within the geographical boundaries of Walker County, Georgia and levied a special assessment against owners of each parcel of property within the district; and

**WHEREAS**, the dates for the special assessment relating to real property occurs prior to December 31 in each calendar year and the dates of assessment for pre-build manufactured housing occurs before April 1 each calendar year; and

**WHEREAS**, the purpose for the establishment of the special district and special assessment has been achieved:

#### NOW THEREFORE, BE IT ORDAINED BY THE COMMISSIONER AS FOLLOWS:

The Walker County Public Health Facilities and Services District is terminated forthwith *nunc pro tunc* to December 31, 2018 for real property and to April 1, 2019 for pre-build manufactured housing. Accordingly, ORDINANCE NO. R-017-17 is hereby amended as follows:

#### **SECTION 5**

**TERMINATION OF SPECIAL DISTRICT** 

- 5.1 This ordinance and the special district created shall terminate on December 31, 2019 2018 as relating to real property and April 1, 2019 relating to pre-build manufactured housing, and no additional fees shall accrue after that time. Such termination shall occur by the terms of this Ordinance, and no further action shall be required by the Sole Commissioner to effectuate such termination.
- 5.2 All fees, interest, and penalties that have accrued under this ordinance, prior to December 31, 2019, as well as all efforts to enforce and collect, shall remain in full force and effect, and shall not otherwise be affected by the termination of the special district.

| SO ORDAINED by the Sole Commissioner of Walker County, Georgia, this day of, 2019. |                |
|--|----------------|
|  | Attest:        |
| Shannon K. Whitfield   | Rebecca Wooden |
| Sole Commissioner Walker, County Georgia   | County Clerk   |

#### SHERRIF'S REPORT

Walker County Sheriff's Department booking report for April 8-14

Staff reports

Staff reports

Studer, Randy Edward, 35, 207 Qak St. Lafayette, disorderly conduct

Ovensaby, Steven Lee, 26, 1906 Blossom Lane, Rosswille, disorderly conduct

Newson, Steven Lee, 26, 1906 Blossom Lane, Rosswille, disorderly conduct

Newson, Steven Lee, 26, 1906 Blossom Lane, Rosswille, disorderly conduct

Newson, 1914 Blosswille, 1914 Blosswi

Kaiser, Dalton Zachary, 29, 204 Kevin Ln. Rock Spring, probation violation (felony)

(felony)

(felony)

And Martin,

4,18 Hone; suckle Lu, Trion,

discharge of a firearn while

under the influence of alcohol or drugs, reckles conduct

Fehring, Brandon Mat
thew, 43, 840 Bowen Lu,

Chickamauga, driving while

license suspended or rewolfe

(first offense), failure to secure

load causing litter

crime

• Camey, Richard LeBron,
68, 9 Woods Taylor Dr. Chick68, 9 Woods Taylor Dr. Chick68, 9 Woods Taylor Dr. Chick68, 19 Control of the Control
68, 19 Control
69, 19 Control
69,

ing identifying information concerning a person • Linam, Michael Darryl, 45, 3088 Halls Valley Rd. Trion, GA, possession of meth • LaPointe, Ashley Elle, 33, 1516 E. 49th St. Chattanooga,

ADTIL 67-14

fugitive from justice for fingerprintable charge, possession and use of drug-related objects, possession of meth • Quarles, Raymond Joseph, 57, 918 N. Pine Street, Rossvalle, possession and use of drug-related object x2, receipt possession or transfer of fireram by convicted felon or felosy first offender, possession of an example of fire former or kindering commission or attempt to commit certain felonies, possession of meth, improper lane change/failure to maintain lane, removing/affixing stag with intent to conceal identity of vehicle, failure to register whicle, and in the conceal identity of vehicle, failure to register whicle, and the conceal identity of vehicle, failure to register whicle, and the conceal identity of vehicle, failure to register whicle, and the conceal identity of vehicle, failure to register which, and the conceal identity of vehicle, failure to register which, and the conceal identity of vehicle, failure to register which, and the conceal identity of vehicle, failure to maintain lane, removing/afficient period of the conceal identity of vehicle, failure to register which, and the conceal identity of vehicle, failure to register which, and the conceal identity of vehicle, failure to register which and the conceal identity of vehicle, failure to register which are the conceal identity of vehicle, failure to register which are the conceal identity of vehicle, and the conceal identity of vehicle,

offense)

• Holloway, Amanda
Demarious, 38, 1007 Escalon
Dr. Rossville, possession of
a schedule3 controlled sub-

Dr. Rossville, possession of meth

• McCary, Elizabeth
Michelle, 31, 117 and \$1. Rossville, failure to appear for fingerprintable charge (misdemeanor)

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onder the influence of alcohol or drugs, reclases conduct
Fehring, Brandon Mathew, 43, 840 Bowen Lin, Chickamauga, driving while license suspended or rewked (first offense), failure to secure of Layne, Nathan MacArthur, 35, 236 Fenny Lin, Dunlap TR, failure to appear for fingerprintable charge (fielony), probation violation (felony)
Formation violation vi

SHERIFE 100 A

ville, hold for court only, fail-ure to appear for fingerprint-able charge (felony)

• Walker, Avery Jameson
Nash, 20, 169 Burgess Hol-low Rd. Lafayette, failure to appear for fingerprintable charge (misdemeanor)

• Eirick, Julia Rose, 27, 286
Starling Mill Dr. Lylery, GA, no proof of insurance, exp. license plate, theft by taking • Pollard, Michael Alevander, 43, 540 45 hauff Place

hold for court only

Johnson, James Allen, 46,
66 Marble Top Rd. Chickanauga, failure to appear for fingerprintable charge (felony),
1 SS N. Liberty Street (Nichols Prison, GA), hold for court
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of Striben, Striben, Douglas,
1 SS, Liberty Street (Nichols Prison, GA), hold for court
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Nash, 20, 169 Burgess Hollow Rd. Lafgsteth, failure to appear for fingerprintable charge (finds disease).

\* Elinck, Julia Rose, 37, 286
Starling Mill Dr. Lylery, GA, no proof of insurance, exp. license plate, theft by taking \* Follard, Michael Alexander, 43, 540 Shauff Place, Chattanooga TN, sale of cocaine.

\* Parker, Tev Austing tag with intent to conceal vehicle charge (feelow) \* Rellars, Chattise Mirnah Hope, 24, 1706 Chestunt Oak Dr. 89, Dalton, GA, failure to appear for fingerprintable charge (felony) \* Painter, Colby Kevin, 46, 1580 Straight Gut Rd. Rosk, Spring, failure to appear for fingerprintable charge (felony) \* Fainter, Colby Kevin, 46, 1580 Straight Gut Rd. Rosk, Spring, failure to appear for fingerprintable charge (felony) \* Hilgan, Paul Dion Jr., 31, 22 Elaime Cir. Fort Oglethorpe, hold for court only \* Stiment, Wally Dale, 47, 2012 Round Tond Rd. Lafsystett, failure to appear for fingerprintable charge (felony) \* Stiment, Wally Dale, 47, 2012 Round Tond Rd. Lafsystett, failure to appear for fingerprintable charge (felony) \* Hilgan, Paul Dion Jr., 31, 22 Elaime Cir. Garden Treysion, 20, 3202 Joshyn In. Rod Bank, TN. Rigitive from justice for fingerprintable charge (felony) \* Hilgan, Paul Dion Jr., 20, 3202 Joshyn In. Rod Bank, TN. Rigitive from justice for fingerprintable charge (felony) \* Hilgan, Paul Dion, Jr., 20, 191 Longman In. Tundel Hill, GA, probation violation (felony), theft by taking for first offensed for revoked (first definese) \* Price, Charles Benard Jr., 61, 64 Milliams Park Dr. Flintstone, willful obstruc-

tion of law enforcement (misdemeanor), simple battery (family violence act)

• Underwood, Christopher Gale, 46, 435 Imman St. West, Cleveland TN, simple battery (family violence act)

• Myers, Dakota Austin Don, 20, 1209 Indian Ave, Rossville, furnishing to, purchasing of, or possession of alcoholic beverage by person under age of 21

• Slocum, Montelle Dewon, 30, 81 Wallaceville School Rd. Chickamauga, driving while licensus suspended or revoked, first offense, no insurance

• Durham, Kelly Raye, 20, 202 E. Wotring, Rossville, furnishing to, purchasing of, or possession of an alcoholic beverage by person under age of 21

• Jackson, Trevor Kelsey, 21, 251 E. Circle Dr. Fort Oglethorpe, possession of an alcoholic beverage by person under age of 21

• Jackson, Trevor Kelsey, 22, 251 E. Circle Dr. Fort Oglethorpe, possession of an alcoholic beverage by person under age of 21

• Jackson, Trevor Kelsey, 23, 251 E. Circle Dr. Fort Oglethorpe, possession of an alcoholic beverage by person under age of 21

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• Jackson, Trevor Kelsey, 24, 251 E. Circle Dr. Fort Oglethorpe, possession of meth or transportation of the propertion of the proper

## **Daily Bible Message** Dial



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### NOTICE OF PUBLIC HEARING

The Governing Authority of Walker County, Georgia proposes to amend the Public Health Facilities and Services District ordinance of 2017. O-05-19 would amend language to effectuate the termination of the Public Health Facilities and Services fee

Public hearings on the proposed ordinance change will be held on May 9, 2019 & May 23, 2019 at 6:00 p.m. at the Walker County Courthouse Annex III, 201 S Main Street in LaFayette, GA.

Copies of the proposed ordinance are available for review at the Commissioner's Office (101 S Duke St, LaFayette) and online walkercountyga.gov.



#### **RESOLUTION R-011-19**

## A RESOLUTION OF THE SOLE COMMISSIONER OF WALKER COUNTY TO APPOINT A MEMBER OF THE LAFAYETTE-WALKER COUNTY LIBRARY BOARD

WHEREAS, O.C.G.A § 20-5-42 (a) provides that a county board of trustees shall consist of at least one appointee from each governmental agency financially supporting the library on a regular basis; and

WHEREAS, O.C.G.A. § 20-5-42 (b) provides that a regional board of library trustees shall consist of trustees serving on members county boards who are appointed to the regional board by each county board for a term specified in writing pursuant to the constitution and bylaws of the library system; and

**WHEREAS**, the Sole Commissioner of Walker County has the authority to appoint a member of the LaFayette-Walker County Library Board; and

WHEREAS, the Sole Commissioner of Walker County recognizing the qualifications and commitment to public service of Ms. Kaye Thurman via her prior experience on the LaFayette-Walker County Library Board;

**THEREFORE, BE IT RESOLVED** by the Sole Commissioner of Walker County, Georgia that Ms. Kaye Thurman is hereby re-appointed to the LaFayette-Walker County Library Board for a term to run from July 1, 2019 to June 30, 2022.

SO RESOLVED AND ADOPTED this 23rd day of May, 2019

| ATTEST:                      | WALKER COUNTY, GEORGIA                  |
|------------------------------|---|
|                              |   |
|                              |   |
| REBECCA WOODEN, County Clerk | SHANNON K. WHITFIELD, Sole Commissioner |



#### **RESOLUTION R-012-19**

#### A RESOLUTION OF THE SOLE COMMISSIONER OF WALKER COUNTY TO APPOINT A LOCAL GOVERNMENT AGENT FOR PURPOSES OF THE GEORGIA MOBILE HOME ACT

WHEREAS, the Georgia Abandoned Mobile Home Act (O.C.G.A. § 44-7-110 et seq.) provides local governing authorities with the authority to appoint an agent to determine the condition of mobile homes in order for landowners to remove or restore abandoned mobile homes left on their property and provides landowners with the guidance necessary to efficiently and properly identify and dispose of abandoned mobile homes in Georgia while protecting the rights of any owner, lienholder, or other interested parties by performing a due diligence search, notification, and hearing process; and

WHEREAS, O.C.G.A. § 44-7-112 (6) defines the "local government agent" as a person appointed by a local governing authority who is qualified to inspect an abandoned mobile home by demonstrating that he or she is qualified to determine if the abandoned mobile home is intact or derelict; and

WHEREAS, O.C.G.A. § 44-7-113 gives a local government agent, upon request by a landowner, authority to assess the condition of abandoned mobile homes, and provides that upon inspection, the local government agent shall classify such abandoned mobile home as either intact or derelict and provide documentation citing such determination to the requesting landowner,

**NOW THEREFORE, BE IT RESOLVED** by the Sole Commissioner of Walker County, Georgia, that David Brown, the Director of Planning, Inspections and Zoning, is hereby appointed as the local government agent in Walker County for purposes of the Georgia Abandoned Mobile Home Act.

| ATTEST:                      | WALKER COUNTY, GEORGIA                  |
|------------------------------|---|
|                              |   |
|                              |   |
| REBECCA WOODEN, County Clerk | SHANNON K. WHITFIELD, Sole Commissioner |