

April 4, 2006

The Walton County Board of Commissioners held its regular monthly meeting on Tuesday, April 4, 2006 at 6:00 p.m. in the Board Room of the Walton County Government Building, 303 South Hammond Drive, Suite 330, Monroe, Ga. Those present included Chairman Kevin Little, Commissioners Clinton Ayers, Michael Turner, Vickie Gasaway, Lamar Palmer, Gerald Atha and John Robinson, County Clerk Leta Talbird, County Attorney Kirby Atkinson, Personnel Director Karen Fraser, Finance Officer Christi Pickens and Planning Director Mike Martin. A list of citizens and other employees in attendance at this meeting is on file in the auxiliary file under this meeting date.

Chairman Little called the meeting to order at 6:07 p.m. and led those present in the Pledge of Allegiance. Commissioner Gasaway opened the meeting in prayer.

Commissioner Ayers made a motion to adopt the agenda as presented, with the addition of a request by Walton County Development Authority. Commissioner Gasaway seconded the motion. All voted in favor.

The Board considered a negotiated settlement and consent order in Case #Z05020003 – Alan Ridgeway, which was tabled at the March 7, 2006 meeting. Chairman Little opened the public hearing on the matter. Attorney Bill Crecelius, representing Alan Ridgeway, asked the Board to rezone the property based upon the Consent Order with the 13 conditions. He stated that a gentlemen who owns property next door to the effected property is concerned about the use of the lake for detention. Mr. Crecelius stated that is not the case. Attorney John Weintraub, representing opponents Robert Michael Crone, Ben Garrett, Milton Lemon and other neighbors of the subject property, came before the Board to object to the Board zoning the property based on the Consent Order. After rebuttal by both Mr. Crecelius and Mr. Weintraub, Chairman Little closed the public hearing on the matter. Commissioner Gasaway stated that she has had an opportunity to review all of the information on the case and that although the judge has determined that R-1 zoning is acceptable, her determination after reviewing the information appears that A-2 zoning would increase the development from A-1, but still have less density than R-1. Commissioner Gasaway made a motion to rezone the property to A-2. The motion died for lack of a second. Commissioner Turner made a motion to approve the rezone to R-1 2400 Overlay with the following conditions: 1. Maximum of 31 lots. 2. Minimum 2,400 square foot homes. 3. \$300,000.00 price point. 4. Pond with walking path on site. 5. Street trees (not planted on the right-of-way). 6. Brick mailboxes. 7. Sidewalks throughout neighborhood. 8. Underground utilities. 9. Mandatory Homeowners Association with Architectural Control Committee. 10. Applicant will comply with findings of the county traffic engineers regarding acceleration/deceleration lanes. 11. Minimum 100 foot set back on Lots #1 and #31. 12. A stone entrance on Liberty Hill Church Road. 13. Open space set aside for the community in the pond area; in accordance with the Consent Order handed down by the Superior Court. The motion died for lack of

a second. There was no further action taken on the matter.

The Board considered a Planning Commission recommendation to approve a rezone request from A-1 to A-2 with Open Space Conservation Overlay for George Harvey, III. The effected property, owned by Central Georgia Development Group, is located on Alcovy Station Road and is further identified on WC Tax Map C 80, Parcel 37 Split. The purpose of the request is to rezone 65.41 acres for a residential subdivision. Chairman Little opened the public hearing on the matter. David Willett came before the Board in support of the rezone. Mr. Willet stated that he has met with various property owners regarding the quality of the proposed homes and protection of the environment. Mr. Willett presented a list of agreed upon special conditions and read the conditions aloud for the record. He stated that he has had a level 3 soil study completed and had the engineer overlay the topo of the property with the soil study. Mr. Willett stated that a new plat was done to correct the boundary of the creek. Darrell Burrough and Gene Ensminger extended appreciation to Mr. Willett for giving the neighbors an opportunity to sit down with him and talk through all of the concerns they had. Jim Stalvey asked the Board to hold up on making a decision on the rezone until the location of the property line between the development and his property has been established. In rebuttal, Mr. Willett stated that he is using a certified surveyor to correct the property line and promised not to start construction until the survey is complete. Chairman Little closed the public hearing on the matter. Commissioner Gasaway made a motion to approve the rezone from A-1 to A-2 with Open Space Conservation Overlay with the following conditions: 1. Maximum number of building lots to be 40. 2. Minimum heated square footage of each residence to be 2,000. 3. 25% brick or rock front accents. 4. No vinyl siding. 5. Minimum 9/12-pitch roof. 6. Minimum 30-year shingles. 7. Sodded front and side yards. 8. Sidewalks and underground utilities. 9. 50-ft. property buffers to be undisturbed. 10. Open space to be deeded to homeowners association and to be labeled undeveloped in the covenants. 11. Open space to be undisturbed and undeveloped. 12. The creek and creek buffers to be surveyed inside the open space area. 13. The first 6 lots on the right when entering the development to have a minimum of 125 foot frontage. 14. No drip septic systems allowed. 15. Approximately 1,000 feet of typical field fencing to be installed at the rear of the first 6 lots on the right when entering the development. Fence to run from Alcovy Road right of way to the existing tree line. 16. Boundary survey to be checked thoroughly along the creek boundary and the survey correcting the property line adjoining Mr. Stalvey's property to be completed before construction begins. Commissioner Turner seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to approve a Conditional Use for a guesthouse for Stanford Cox, III. The effected property is located at 312 Youth Jersey Road and is further identified on WC Tax Map C 65, Parcel 52. Chairman Little opened the public hearing on the matter. Stan Cox came before the Board in support of the request. There was no one present in opposition. Commissioner Gasaway made a motion to approve the Conditional Use with the condition that the primary residence or guesthouse cannot be rented. Commissioner Ayers seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve a rezone from A-1 to R-1 for Richard Reynolds. The effected property, owned by Norman Morrow, is located at 2571 Clarence Odum Road and is further identified on WC Tax Map C 120, Parcel 91K. The purpose of the request is to rezone 3.56 acres for three residential lots. Chairman Little opened the public hearing on the matter. Amy Portman, representing Mr. Reynolds and Johnny Smith, representing the property owner, came before the Board in support of the rezone. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Atha made a motion to approve the rezone. Commissioner Ayers seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve a rezone from A-1 to R-1 with Open Space Conservation Overlay for Richard Reynolds. The effected property, owned by Norman Morrow, Brendell Morrow and Charles Morrow, is located on Clarence Odum Road and is further identified on WC Tax Map C120, Parcels 91D, 91E & 91 F. The purpose of the request is to rezone 33.151 acres for a single-family residential subdivision. Chairman Little opened the public hearing on the matter. Amy Portman, representing Mr. Reynolds and Johnny Smith, representing the property owner, came before the Board in support of the rezone. Ms. Portman presented an updated plat of the property that shows the proposed decel lane and detention pond. Keith Boozer spoke to the Board regarding his concerns about the proposed density of housing in the area. Mr. Boozer stated he would like a traffic study. Karen & Will Comfrey stated that they are concerned about the proposed lot sizes, but are not against the rezone. Ms. Comfrey inquired if there would be a homeowners association. She also expressed concern regarding the maintenance of privacy fences in the proposed development with the lots facing inward and backing up to Clarence Odum Road. Johnny Smith spoke in rebuttal, stating that 13 lots with driveways off of Clarence Odum Road would not be safe. Chairman Little closed the public hearing on the matter. Commissioner Atha made a motion to approve the rezone from A- to R-1 OSC with the conditions that there will be a required homeowners association, provide a decel lane, provide a planted buffer along Clarence Odum Road along the external frontage of the property with 7 gallon Leyland cypress and that there will be a note on the plat and deeds stating that there is a working farm in the vicinity. Commissioner Robinson seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to approve a rezone request from A-1 to R-1 for Christopher Wilson. The effected property is located on Guthrie Road & Green Road and is further identified on WC Tax Map C 28, Parcel 44. The purpose of the request is to rezone 2.6 acres for two residential lots. Chairman Little opened the public hearing on the matter. Chris Wilson came before the Board in support of the request. There was no one present in opposition to the rezone. Chairman Little closed the public hearing on the matter. Commissioner Turner made a motion to approve the rezone with the condition recommended by the Planning Commission that the newly created lot will have a condition that the home must be a minimum of 2,000 square feet. Commissioner Palmer seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve a rezone from A-1 to B-2 with conditional use for outside storage and a variance to waive the transitional buffer on the interior of the lot for Michael Leach. The effected property is located at 3435 Maughon Road and is further identified on WC Tax Map C 65, Parcel 59 Split. The purpose of the request is to rezone 2.00 acres for a landscaping business. Chairman Little opened the public hearing on the matter. Michael Leach came before the Board in support of the request. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Gasaway made a motion to approve the rezone from A-1 to B-2 with the conditional use for outside storage and a variance waiving the transitional buffer on the interior of the lot. Commissioner Atha seconded the motion; voted and carried unanimously.

The Board considered a request to change the name of Bell Trailer Park Road to Magnolia Ridge. Commissioner Robinson made a motion to approve the road name change. Commissioner Atha seconded the motion. All voted in favor.

The Board considered abandonment of a portion of Ralph Still Road located within Stillwater Springs subdivision. Commissioner Ayers made a motion to approve abandonment of the aforementioned portion of Ralph Still Road. Commissioner Gasaway seconded the motion; voted and carried unanimously.

Commissioner Ayers made a motion to accept the following rights of way: Watson Fain FKA Watson Fain Estates – Watson Fain Trail; Peyton Woods Subdivision – Weston Way; The Preserve @ Maddox Farms – Macy Drive, Brittany Court, Katherine Court; Glen Cove Subdivision – Charmond Drive, Margaux Court. Commissioner Gasaway seconded the motion. All voted in favor.

Joe Watkins of Carter Watkins & Associates presented bids for the purchase and installation of lights for Felker Park. Mr. Watkins reviewed the park construction budget and gave an update of the timeline regarding prior submittal of cost estimates for the construction of Felker Park. Commissioner Robinson made a motion to table the matter for further discussion. Commissioner Atha seconded the motion; voted and carried unanimously.

Finance Officer Christi Pickens presented an FY 2006 budget for the Walton County Water & Sewerage Authority. Ms. Pickens reviewed the proposed capital expenditure list. Commissioner Turner made a motion to approve the budget. Commissioner Atha seconded the motion. All voted in favor.

County Attorney Kirby Atkinson presented the Lease and Transfer Agreement between the Walton County Water & Sewerage Authority and Walton County, Georgia. Mr. Atkinson reviewed changes to the previously submitted draft agreement that address the benefits of employees of the Authority. Commissioner Robinson made a motion to approve the agreement with the aforementioned changes and to submit the Agreement to the Authority for its approval. Commissioner Atha seconded the motion. All voted in

favor.

Nancy Kinsey, Executive Director of the Development Authority of Walton County, requested the Board's approval for the Development Authority to borrow \$650,000.00 for road construction. Ms. Kinsey also reviewed ongoing Development Authority projects. Commissioner Robinson made a motion to approve the Development Authority to borrow \$650,000.00 and to pursue borrowing the money against property owned by the Development Authority. Commissioner Atha seconded the motion; voted and carried unanimously.

Roger Hale spoke during the public comment segment of the meeting.

Commissioner Atha made a motion not to hold the called board meeting tentatively scheduled for April 27, 2006 and to handle all business at the Board's regular monthly meeting on May 2, 2006. Commissioner Palmer seconded the motion. All voted in favor.

At 8:00 p.m., Commissioner Turner made a motion to enter into executive session to discuss litigation and land acquisition. Commissioner Ayers seconded the motion. Commissioners Ayers, Turner, Gasaway, Palmer, Atha and Robinson voted in favor.

At 8:45 p.m., Commissioner Turner made a motion to return to regular session. Commissioner Ayers seconded the motion. Commissioners Ayers, Turner, Palmer, Atha and Robinson voted in favor. Commissioner Gasaway exited the meeting while in executive session. No votes were taken while in executive session.

At 8:46 p.m., Commissioner Robinson made a motion to adjourn the meeting. Commissioner Atha seconded the motion. All voted in favor.

All documents of record for this meeting are on file in either the addendum book or auxiliary file under this meeting date.

KEVIN W. LITTLE, CHAIRMAN LETA P. TALBIRD, CLERK

CLINTON AYERS, DISTRICT 1 MICHAEL TURNER, DISTRICT 2

VICKIE M. GASAWAY, DIST. 3 LAMAR PALMER, DISTRICT 4

GERALD ATHA, DISTRICT 5 JOHN ROBINSON, DISTRICT 6