

November 7, 2006

The Walton County Board of Commissioners held its regular monthly meeting on Tuesday, November 7, 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, 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 6:00 p.m., led those present in the Pledge of Allegiance and opened the meeting in prayer.

Commissioner Turner made a motion to adopt the agenda as presented, with the addition of an update on the Hwy. 81 Park. Commissioner Gasaway seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to approve a rezone request from R-1 OSC to R-1 for a single-family subdivision on 9.00 acres located on Grady Smith Road for A. Fortner Construction Co., Inc. The effected property is identified on WC Tax Map C 38, Parcel 41 Split. Chairman Little opened the public hearing on the matter. Attorney Paul Rosenthal, representing the applicant, 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 Ayers made a motion to approve the rezone with the conditions that the minimum driveway spaces adhere strictly by the regulations and that all site distance requirements are met. Commissioner Atha seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve a land use amendment from high density to agriculture (medium density) and rezone from R-1 to A-1 on 5.447 acres to allow horses for Mike and Deborah Boyt. The effected property is located at 2900 Tig Knight Road and is further identified on WC Tax Map C 49, Parcel 5C. Chairman Little opened the public hearing on the matter. Mike Boyt 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 Turner made a motion to approve the land use amendment and rezone. Commissioner Ayers seconded the motion. All voted in favor.

Commissioner Ayers made a motion, seconded by Commissioner Gasaway, to move a land use change and rezone request for Andrew Davis to the end of the agenda. All voted in favor.

The Board considered a Planning Commission recommendation to approve a rezone

request from A-1 to R-1 on 2.14 acres for two single-family parcels for John Coleman. The effected property is located on Cown Road and is further identified on WC Tax Map C 60, Parcel 76A. Chairman Little opened the public hearing on the matter. John Coleman 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 Ayers made a motion, seconded by Commissioner Turner, to approve the rezone. All voted in favor.

The Board considered a Planning Commission recommendation to approve a rezone request from A-1 to R-1 with 2400 Overlay on 17.08 acres for a single-family subdivision for Leonard & Sharon Shaw. The effected property is located on Broadnax Mill Road and is further identified on WC Tax Map C 46, Parcel 42. Chairman Little opened the public hearing on the matter. Leonard Shaw 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 Ayers made a motion, seconded by Commissioner Palmer, to approve the rezone. All voted in favor.

The Board considered a Planning Commission recommendation to approve a rezone request from A-1 to R-1 on 3.2 acres for single-family lots for Adam H. MacDaniel. The effected property is located at 6010 Sandy Creek Road and is further identified on WC Tax Map C 11, Parcel 94. Chairman Little opened the public hearing on the matter. Adam MacDaniel 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 Turner made a motion to approve the rezone. Commissioner Palmer seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve withdrawal of an application for a land use amendment from low density residential to Industrial and rezone from A-1 to M-1 on 14.860 acres for West Walton Properties for use as Office/Warehouse. The effected property is located on Ga. Hwy. 81 and is further identified on WC Tax Map C 52, Parcel 168 Split. Commissioner Gasaway made a motion, seconded by Commissioner Ayers, to approve withdrawal of the application. All voted in favor.

The Board considered a request for alteration of zoning conditions for Anslee Lakes Development, Inc. The effected property is located on Claude Brewer Road and is further identified on WC Tax Map C 27, Parcel 8. Chairman Little opened the public hearing on the matter. Ken Roberts of JCD Enterprises, representing the applicant, came before the Board in support of the request. Mr. Roberts explained that the rezone of the property was conditioned on the developer installing lighting around the lake sites for safety and security. He stated that the homeowners in Anslee Lakes Subdivision feel that lighting the “quarry” lakes will increase vandalism and other inappropriate behavior. George Cothran, President of Anslee Lakes Homeowners Association, came before the Board in support of the request. Mr. Cothran referenced a letter submitted to the Planning & Development Office from the Board of Directors of the Homeowners Association

representing the residents of Anslee Lakes, which states that the residents do not want the lakes to be lighted. Commissioner Turner asked if the Homeowners Association is willing to absolve the County of any liability should something occur there. Mr. Cothorn stated that the Homeowners Association has liability insurance on the common property. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Turner made a motion to approve removal of the conditions with the Anslee Lake Homeowners Association assuming responsibility for the lakes. Commissioner Atha seconded the motion; voted and carried unanimously.

Charna Parker of the Planning & Development Office presented a Planning Commission recommendation to approve amendments to the Walton County Land Development Ordinance as per Errata Sheet dated 9-1-06 (OA06090030). Mrs. Parker stated that the amendments add regulations for street numbering and the number of parking spaces for recreation areas in subdivisions. Commissioner Turner made a motion, seconded by Commissioner Gasaway, to approve the amendments. All voted in favor.

The Board considered a request from Mike Patat for waiver of curb and gutter requirements on a 10-lot subdivision located on Perry Smith Road. Chairman Little opened the public hearing on the matter. Andy Malcom, representing Mr. Patat, 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 Atha made a motion to waive the curb and gutter requirements with the condition that the grades not exceed 5 percent and to leave the Planning & Development Office with flexibility to require curb and gutter in the cul-de-sac should it be deemed necessary. Commissioner Turner seconded the motion; voted and carried unanimously.

Jimmy Parker of Precision Planning presented a proposed Request for Proposals for Water Quality Sampling & Testing Services. Commissioner Turner made a motion to approve the RFP. Commissioner Palmer seconded the motion; voted and carried unanimously.

The Board discussed the status of improvements for the Hwy. 81 park property donated by Darryl McWaters. Chairman Little stated that he contacted Mr. McWaters and that he is not interested in paying for any improvements. He stated that Ken Holland of the Recreation Department is getting prices for the proposed park improvements. Commissioner Turner asked that the matter be placed on the 11/30/06 agenda for consideration.

The Board considered a Planning Commission recommendation to approve a land use amendment from Commercial to Industrial and rezone from B-1 to M-1 on .75 acres for Andrew Davis for an existing pest control business. The effected property is located at 2580 U.S. Hwy. 78 and is further identified on WC Tax Map C 44, Parcel 8. Chairman Little opened the public hearing on the matter. Andrew Davis came before the Board to ask for review of the application. He stated that ordinance changes require him to rezone the property in order for him to build a new office. He stated that he plans to move the

existing house that he currently uses as the office for the business and to build a new office building in front of the existing shop building. Mr. Davis stated that M-1 zoning would raise the taxes on the property. He also requested the application fee to be refunded. There was no one present in opposition to the rezone. Chairman Little closed the public hearing on the matter. Chairman Little stated that the rezone of the property would not likely raise the property taxes. Commissioner Ayers made a motion to approve the land use amendment and rezone and approve the refund of the application fee with the stipulation that nothing but a retail pest control business will be allowed on the property. Commissioner Atha seconded the motion. Commissioner Ayers amended his motion to include approval of variances for the side setback of 8 feet and waiver of the transitional buffer. Commissioner Atha seconded the amended motion; voted and carried unanimously.

The Board considered Department of Juvenile Justice Purchase of Services Contracts with Greg Bullock, Everett Cullen Bailey IV and Robert T. Lawson. Commissioner Gasaway made a motion, seconded by Commissioner Ayers, to approve the contracts. All voted in favor.

At 6:38 p.m., Commissioner Ayers made a motion to recess the meeting. Commissioner Gasaway seconded the motion; voted and carried unanimously.

At 7:44 p.m., Commissioner Gasaway made a motion to reconvene the meeting. Commissioner Turner seconded the motion; voted and carried unanimously.

Jimmy Parker of Precision Planning, Inc., Bryce Holcomb of Citigroup and Financial Consultant Bob Mulcay made a presentation on the updated Capital Improvement Program and proposed bond issuances for the Hard Labor Creek Reservoir Project.

Commissioner Robinson presented a proposed Architectural/Engineering Contract model and fee schedule for the Board's review. He asked the Board to review the documents for potential use by the County for future SPLOST projects.

At 8:43 p.m., Commissioner Turner made a motion to adjourn the meeting. Commissioner Atha seconded the motion; voted and carried unanimously.

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