

August 7, 2007

The Walton County Board of Commissioners held its regular monthly meeting on Tuesday, August 7, 2007 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 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. and led those present in the Pledge of Allegiance. Commissioner Ayers opened the meeting in prayer.

Commissioner Ayers made a motion to adopt the agenda as presented. Commissioner Gasaway seconded the motion. All voted in favor.

At 6:04 p.m., Commissioner Robinson entered the meeting.

The Board considered a request for increases in cellular telephone allowances for the Chief Magistrate Judge, the Sheriff and the Chief Deputy. Commissioner Ayers made a motion to amend the Cellular Telephone Policy to allow elected officials to opt in or out of the policy. The motion died due to lack of a second. Commissioner Turner made a motion to leave the Cellular Telephone Policy as it is and to ask the Finance Officer to bring back other options for the Board's consideration. Commissioner Atha seconded the motion. Commissioners Turner, Gasaway, Atha and Robinson voted in favor of the motion. Commissioners Ayers and Palmer opposed the motion. The motion carried 4-2.

The Board considered a Planning Commission recommendation to approve CU07050021 – Conditional Use for a church for Woodlake Baptist Church. The affected property is located on Georgia Highway 138 and is further identified on WC Tax Map C 64, Parcel 64 and WC Map C 56, Parcel 4. Chairman Little opened the public hearing on the matter. Pastor Jerry Gray of Woodlake Baptist Church 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 Conditional Use. Commissioner Ayers seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve LU07060004 & Z07060003 – Land Use Amendment from High Density Residential to Commercial and rezone from A-2 to B-2 for office retail on 1.15 acres for Warren D. Avaritt. The affected property is located at 4089 Centerville Rosebud Road and is further identified on WC Tax Map C 1, Parcel 7A. Chairman Little opened the public hearing on the matter. Attorney Paul Rosenthal, representing the applicant, came before the Board in support of the

request. Mr. Rosenthal referenced a Constitutional rights letter filed in the Planning & Development Office on behalf of the applicant. Mr. Rosenthal stated that the applicant is willing to address any reasonable conditions the Board might place on approval of the request, as well as those related to adjacent property owner, James Cash. Mr. Rosenthal stated that the applicant is willing to install a new water tap for Mr. Cash's water service and has no problem leaving Mr. Cash's septic lines, which lie within the 50 ft. transitional buffer located on the applicant's property. Mr. Rosenthal stated the applicant has no problem installing a 6 ft. wooden privacy fence along Mr. Cash's property line on the portion adjacent to his house. Commissioner Turner inquired if the building encroaches on the 50 ft. buffer on the rear of the property. Mr. Rosenthal presented a revised site plan on which the building does not encroach on the buffer. James Cash expressed his concern that the environmental health department might have a problem with his septic system and available usable soils due to the new development. Mr. Rosenthal stated that the applicant could grant an easement to Mr. Cash to address the septic system issue to the satisfaction of the health department. Planning Director Mike Martin stated that there would have to be some type of legal document filed that shows the easement attached to Mr. Cash's property for the purposes of the septic system. He stated that the size of the easement would have to be approved by the health department as being adequate. He stated that the matter would be addressed in the development process. After further discussion, Chairman Little closed the public hearing on the matter. Commissioner Turner made a motion to approve the Land Use Amendment from High Density Residential to Commercial and rezone from A-2 to B-2 with the following conditions: That the exteriors of the buildings will be brick or masonry facing the road, that any exterior lighting will be inward pointed and be extinguished at a reasonable hour; 10:00 p.m. or 11:00 p.m. at the latest, adhering to all the appropriate buffers, putting up a privacy fence between Mr. Cash's house and this development and conditioned upon the health department satisfactorily accepting suitable soils to give Mr. Cash his overflow backup field and the health department's overall approval of his drain fields. At the request of Commissioner Ayers, Commissioner Turner amended his motion to allow minimal interior lighting to remain on for burglary protection. Commissioner Gasaway seconded the motion; voted and carried unanimously.

The Board held a public hearing regarding a request from Lilburn Developers, Inc. for abandonment of the remaining portion of Ralph Still Road. (The Board previously abandoned the portion of Ralph Still Road located within Stillwater Springs Subdivision on 04-04-06.) There was no one present in opposition to the abandonment. Commissioner Ayers made a motion, seconded by Commissioner Turner, to approve abandonment of the remaining portion of Ralph Still Road. All voted in favor.

Chairman Little presented a request from Technology Park/Atlanta for abandonment of the portion of Stanton road located within Walton County. Commissioner Palmer made a motion to initiate the abandonment process. Commissioner Atha seconded the motion; voted and carried unanimously.

The Board considered abandonment of a portion of White Road from the intersection of

Cedar Crest Lane north to the existing right of way limits along Center Hill Church Road. Commissioner Turner made a motion to initiate the abandonment process. Commissioner Atha seconded the motion. All voted in favor.

Planning Director Mike Martin requested authorization from the Board to assist the City of Social Circle in updating its Land Development Ordinance. Commissioner Palmer made a motion to allow the Planning & Development Office to assist the City of Social Circle in updating its Land Development Ordinance and if it is determined that an Intergovernmental Agreement is necessary, to bring the matter back to the Board for consideration. Commissioner Atha seconded the motion; voted and carried unanimously.

Associate Planning Director Charna Parker presented an addendum to the Service Agreement with the City of Walnut Grove – Performance of Fire Safety Review and Inspections, adding a fee schedule. Commissioner Gasaway made a motion to approve the addendum. Commissioner Atha seconded the motion. All voted in favor.

Commissioner Robinson made a motion to adopt a resolution to forward the Community Agenda component of the Comprehensive Plan update to Northeast Georgia RDC and the Georgia Department of Community Affairs for review, comment and recommendation. Commissioner Atha seconded the motion; voted and carried unanimously.

Finance Officer Chris Edwards presented a resolution setting the millage rates for 2007. Commissioner Gasaway made a motion to adopt the resolution. Commissioner Palmer seconded the motion. All voted in favor.

Fire Chief Mike Moore and Assistant EMA Director Donnie McCullough requested approval to apply for a Department of Homeland Security grant for staffing for adequate fire and emergency response. Due to the requirement that the County commit future funding for positions initially to be funded by the grant, the Board declined to take action on the request.

The Board considered bids received for GDOT Project TSAP0-S010-00 (537) Left Turn Lane – S.R. 20 at Sharon Church Road. Commissioner Turner made a motion to accept the low bid from ISC, Incorporated in the amount of \$229,206.00. He further moved to authorize the Chairman to execute all necessary documents. Commissioner Robinson seconded the motion; voted and carried unanimously.

At 7:04 p.m., Commissioner Ayers made a motion, seconded by Commissioner Gasaway, to adjourn the meeting. 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