

September 4, 2007

The Walton County Board of Commissioners held its regular monthly meeting on Tuesday, September 4, 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 and Gerald Atha, 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. Commissioner Robinson did not attend the meeting.

Chairman Little called the meeting to order at 6:05 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. Commissioner Turner seconded the motion. All voted in favor.

Commissioner Gasaway made a motion to approve the minutes of the August 2, 2007, August 7, 2007 and August 16, 2007 meetings. Commissioner Ayers seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve a Conditional Use for a guesthouse for David Allgood - CU07070001 . The affected property is located at 380 Harris Rockmore Loop and is further identified on WC Tax Map C 54, Parcel 324. Chairman Little opened the public hearing on the matter. David Allgood came before the Board in support of the Conditional Use. 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 with the stipulation that the guesthouse can't be rented out. Commissioner Palmer seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve a Conditional Use to build a church for Vincent F. Porzio - CU07070012. The affected property, owned by Thomas Jefferson Moore, Jr., Rosalyn Thomasa Moore Brand and Carol Delaine Moore Davis, is located at 2984 Michael Etchison Road and is further identified on WC Tax Map C 61, Parcel 53. Chairman Little opened the public hearing on the matter. Phillip Combs, representing the applicant, 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 Ayers made a motion, seconded by Commissioner Atha, to approve the Conditional Use. All voted in favor.

The Board considered a request from Thomas Benedetti to withdraw a Conditional Use application to build a Western Pioneer Village for Youth on Thomas Road -

CU07070003. The affected property is identified on WC Map C 193, Parcels 45B & 45C. There was no one present in opposition to the withdrawal. Commissioner Palmer made a motion to approve withdrawal of the application. Commissioner Atha seconded the motion; voted and carried unanimously.

The Board considered a request from Sheryl Price Turkia to withdraw an application for a Land Use Amendment from High Density Residential to Commercial and rezone from A-1 to B-3 on 6.6 acres for a truck repair shop - LU07060001 and Z07060002. No one was present in opposition of the request for withdrawal. Commissioner Gasaway made a motion, seconded by Commissioner Turner, to approve withdrawal of the request. All voted in favor.

The Board considered a request from Shawn Ali to withdraw an application for a Land Use Amendment from High Density Residential to Commercial and a rezone from R-1 to B-2 for a convenience store on 6.02 acres located on Ga. Hwy. 81 & Jersey Walnut Grove Road - LU07070008 and Z07070009. No one was present in opposition of the request for withdrawal. Commissioner Gasaway made a motion, seconded by Commissioner Turner, to approve withdrawal of the request. All voted in favor.

The Board considered a Planning Commission recommendation to approve a rezone from A-2 to A for a wholesale greenhouse business on 6.44 acres for David & Donna Maughon - Z07060022. The affected property is located on Cornish Mountain Road and is further identified on WC Tax Map C 67, Parcels 114 & 114B. Chairman Little opened the public hearing on the matter. David Maughon 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 Gasaway made a motion, seconded by Commissioner Ayers, to approve the rezone. All voted in favor.

The Board considered a Planning Commission recommendation to approve a rezone from B-1 to B-3 for office warehouses on 7.36 acres for Glasco, LLC. - Z07070013. The affected property is located at 2341 U.S. Hwy. 78. Chairman Little opened the public hearing on the matter. Associate Planning & Development Director Charna Parker presented the request to the Board. She stated that the applicant requested the rezone in order to bring his existing business into compliance. She stated the applicant requests refund of the application fee. There was no one present in opposition to the request. Chairman Little closed the public hearing on the matter. Commissioner Ayers made a motion to approve the rezone and to refund the application fee. Commissioner Gasaway seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to deny a Land Use Amendment from Residential to Commercial and a rezone from B-2 to B-3 and also for a reduction in the Transitional Buffer from 50 ft. to 25 ft. for a commercial subdivision on 18.8476 acres for Ronda Parks - LU07070006 and Z07070007. The affected property is located on Georgia Hwy. 20 and is further identified on WC Tax Map C 9, Parcel 5. 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 letter filed with the Planning & Development Office dated September 4, 2007 reserving the applicant's Constitutional rights. Mr. Rosenthal submitted a drawing identifying the zoning designation of parcels in the vicinity of the affected property. Mr. Rosenthal reviewed conditions that the applicant is willing to have placed on the property if the rezone is approved. Norma Billingsley spoke in opposition to the Land Use amendment and rezone request. She stated that a higher intense use could have a negative impact on adjoining properties. County Attorney Kirby Atkinson stated that this case has been before this body in the past and it was involved in prior litigation. Mr. Atkinson submitted, for the record, a Notice of Preservation of Affirmative Defenses on behalf of the Board of Commissioners. Mr. Atkinson stated that the document has no impact on the decision or consideration of the Board of Commissioners at this meeting, but is simply a matter of preserving it in the record. Chairman Little closed the public hearing on the matter. Commissioner Turner made a motion to deny the Land Use amendment and rezone based on the recommendations of staff and based on the recommendations of the Planning & Zoning Board and also the fact that there has been no substantial or material change in this area since the last denial. Commissioner Ayers seconded the motion; voted and carried unanimously.

Associate Planning Director Charna Parker presented a Planning Commission recommendation to approve an amendment to the Walton County Land Development Ordinance - OA07070010 – Amending Article 10, Part 2, Section 160 B, 3 & 4, page 335 regarding fire flow requirements as presented on an errata sheet dated 07/02/07. Commissioner Turner made a motion to approve the amendment. Commissioner Ayers seconded the motion. All voted in favor.

The Board held a public hearing on the abandonment of a portion of White Road. Chairman Little stated that it has been determined that a parcel of property located on the portion of White Road to be abandoned would be landlocked unless an easement to the property is obtained from the WC Board of Education. Commissioner Turner made a motion to table a decision on the matter with instructions to resolve the issue with the parcel by the next meeting. Commissioner Gasaway seconded the motion; voted and carried unanimously.

The Board held a public hearing on the abandonment of the portion of Stanton Road that is located in Walton County. There was no one present in opposition. Commissioner Palmer made a motion to approve abandonment of Stanton Road. Commissioner Atha seconded the motion; voted and carried unanimously.

The Board considered an annexation request from the City of Monroe on 227 acres located at 200 Michael Etchison Road, 104.74 acres located at 2075 West Spring Street, 172 acres located at 1000 Ga. Hwy. 138 and 1.9 acres located at 1350 Ga. Hwy. 138. Commissioner Atha made a motion, seconded by Commissioner Palmer, to approve the annexation. All voted in favor.

The Board considered an annexation request from the City of Walnut Grove on 157 acres located on Ga. Hwy. 81. Commissioner Gasaway made a motion, seconded by Commissioner Turner, to approve the annexation. All voted in favor.

Finance Officer Chris Edwards presented contracts and budgeted purchases of \$2,500.00 for the Board's consideration. Commissioner Ayers made a motion to move a decision on the matter to the end of the agenda. Commissioner Turner seconded the motion; voted and carried unanimously.

The Board considered a change order on the contract with Patmac Contracting for paving parking lots at three unincorporated parks. Commissioner Palmer made a motion to approve the change order in the following amounts: Mount Vernon Road Park - \$10,728.00, Bold Springs Park - \$9,377.00 & Rabbit Farm Road Park - \$7,424.00. Commissioner Ayers seconded the motion; voted and carried unanimously.

The Board considered a budget amendment for WC Fire Rescue Department in the amount of \$76,720.15 for gas & diesel. Commissioner Turner made a motion to approve the budget amendment. Commissioner Gasaway seconded the motion. All voted in favor.

Personnel Director Karen Fraser presented employee new hires and promotions for the Board's consideration. Commissioner Ayers made a motion to approve new hires and promotions as presented, for the record. Commissioner Turner seconded the motion; voted and carried unanimously.

Ms. Fraser presented an interview panel recommendation to hire Linda Hanna as Finance Director. She stated that if approved, Ms. Hanna would begin work on 9/17/07. Commissioner Turner made a motion to hire Linda Hanna as Finance Director. Commissioner Palmer seconded the motion. All voted in favor.

The Board considered ratification of actions taken by the Walton County Water & Sewerage Authority at its 8/28/07 meeting. Commissioner Ayers made a motion, seconded by Commissioner Turner, to ratify actions taken by the Authority at its 8/28/07 meeting. All voted in favor.

The Board considered a refund request from Langley Properties, Inc. in the amount of \$447.76 for 2007 ad valorem taxes paid in error. Commissioner Atha made a motion to approve the refund. Commissioner Palmer seconded the motion. All voted in favor.

Commissioner Palmer made a motion to re-appoint Charles White, Donald Hector and Linda Vinson to the Advantage Community Service Board. Commissioner Atha seconded the motion; voted and carried unanimously.

Commissioner Palmer made a motion to approve a Purchase of Services for Juvenile Offenders Application for Funding. Commissioner Ayers seconded the motion. All voted

in favor.

Commissioner Ayers made a motion to approve a request from the Walton County Sheriff's Office to apply for a SCCAP Grant. Commissioner Palmer seconded the motion; voted and carried unanimously.

Commissioner Palmer made a motion to approve a request from the Walton County Sheriff's Office to apply for a Georgia Highway Safety H.E.A.T. Grant. Commissioner Ayers seconded the motion. All voted in favor.

Commissioner Gasaway made a motion to approve a Juvenile Justice Purchase of Services contract with David Briscoe. Commissioner Ayers seconded the motion. All voted in favor.

Commissioner Turner made a motion to table a decision on a contract with Appalachian Mountain Services for delinquent property tax collection in order for the County Attorney to make changes in the contract language. Commissioner Ayers seconded the motion. All voted in favor.

Finance Officer Chris Edwards presented contracts & budgeted purchases of \$2,500.00 or greater for the Board's consideration. Commissioner Ayers made a motion to approve contracts and purchases as presented. Commissioner Turner seconded the motion; voted and carried unanimously.

Diane Shockey spoke during the public comment segment of the meeting regarding the Board of Commissioners televising its meetings. Ms. Ida Parker also spoke during public comment.

Commissioner Atha made a motion not to hold a called meeting on September 27, 2007 and to postpone all matters scheduled for that meeting until the October 2, 2007 meeting. Commissioner Gasaway seconded the motion; voted and carried unanimously.

At 7:36 p.m., Commissioner Gasaway made a motion, seconded by Commissioner Turner, 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