

February 5, 2008

The Walton County Board of Commissioners held its regular monthly meeting on Tuesday, February 5, 2008 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, Vickie Gasaway, Lamar Palmer, Gerald Atha and Kirklyn Dixon, Assistant County Clerk Rhonda Hawk, County Attorney Kirby Atkinson, Finance Director Linda Hanna, 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 Turner did not attend the meeting.

The Board recognized Morgan Wheeler of the Planning & Development Department for being appointed as Vice Chairman of the State Codes Advisory Committee.

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

Commissioner Gasaway made a motion, seconded by Commissioner Atha, to approve the minutes of the January 8, 2008 meeting. All voted in favor.

The Board considered a Planning Commission recommendation to approve a Conditional Use for a guesthouse at 3060 Maple Cove Drive for Terry A. Wood – CU07110019. The affected property is identified on WC Tax Map N60C, Parcel 1. Chairman Little opened the public hearing on the matter. Terry Wood 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 to approve the Conditional Use with the stipulation that neither residence will ever be rented. Commissioner Gasaway seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve a Conditional Use for Heritage Walk Subdivision to be a Private Gated Community on 108.42 acres and a rezone from A-1 to A-2/GS on 5.67 acres for Greenleaf Development, Inc. – CU07110020 & Z07110021. The affected property is located on Monroe-Jersey Road and is further identified on WC Tax Map C 103, Parcels 43 & 44. Chairman Little opened the public hearing on the matter. Clyde Stephens, developer of the subdivision, came before the Board in support of the request. Mr. Stephens presented drawings of the

existing subdivision and reviewed the proposed plans for the gated community. There was no one present in opposition to the request. Chairman Little closed the public hearing on the matter. Commissioner Palmer made a motion, seconded by Commissioner Gasaway, to approve the Conditional Use and rezone from A-1 to A-2/GS as presented. All voted in favor.

The Board considered a Planning Commission recommendation to approve a Conditional Use for a guesthouse at 1290 Nunnally Farm Road and an increase in size from 800 sq. ft. to 1,200 sq. ft. for Jim Barlow – CU07120001. The affected property, owned by James J. and Jami Guinn, is identified on WC Tax Map C 63, Parcel 69X. Chairman Little opened the public hearing on the matter. Jim Barlow 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 to approve the Conditional Use with the stipulation that neither the primary residence nor the guesthouse can ever be rented. Commissioner Gasaway seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to approve a rezone from A-1 to R-1 on 5.699 acres for Kalpesh Patel to create (4) 1.0-acre lots for a subdivision and a variance on proposed Lot #1 to decrease the front setback from 40 feet to approximately 4 feet for an existing house – Z07120002. The affected property is located on Bay Creek Church Road and is further identified on WC Tax Map C42, Parcels 8, 10, 11 & 12. Chairman Little opened the public hearing on the matter. Kalpesh Patel and Ken Peters 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 to deny the rezone based on the fact that the majority of the homes in the area are estate size lots or individual lots and not subdivision lots. Commissioner Atha seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve a rezone from B-2 to B-3 on 1.28 acres for automotive repair and maintenance for Richard Mendel – Z07120004. The affected property is located at 2860 U. S. Highway 78 and is further identified on WC Tax Map C44, Parcel 47. Chairman Little opened the public hearing on the matter. Richard Mendel came before the Board in support of the rezone. He stated that he plans to build a shop and plans on moving the car lot and to locate his office in the existing building. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Ayers made a motion to approve the rezone contingent on receiving a Department of Transportation permit for the driveway that is currently located on the property, a site plan approved by the Planning & Development Department

and that the work will be completed within 120 days. Commissioner Gasaway seconded the motion; voted and carried unanimously.

Commissioner Atha made a motion to approve withdrawal of a rezone request from R-2 to B-1 on 1.0 acre located at 1425 Shoal Creek Road for John K. and Susan P. Still – Z07110017. Commissioner Palmer seconded the motion. All voted in favor.

The Board considered an annexation request from the City of Loganville on 63.752 acres located at 3431 Old Zion Cemetery Road – Loganville High School Stadium. Commissioner Ayers made a motion, seconded by Commissioner Atha, to approve the annexation. All voted in favor.

Finance Director Linda Hanna presented contracts and budgeted purchases of \$2,500.00 or greater for the Board's consideration. Commissioner Gasaway made a motion, seconded by Commissioner Dixon, to approve contracts and budgeted purchases as presented. All voted in favor.

Ms. Hanna presented FY 2008 departmental budget amendments in the amount of \$3,514.00 and \$1,225.00 to clear negative balances for the Walton County Fire Rescue Department. Commissioner Ayers made a motion to approve the budget amendments as presented. Commissioner Atha seconded the motion; voted and carried unanimously.

Ms. Hanna presented an FY 2008 departmental budget amendment in the amount of \$23,200.00 for the Parks & Recreation Department to be transferred from vehicles to equipment for the purchase of two field rakes. Commissioner Gasaway made a motion, seconded by Commissioner Dixon to approve the budget amendment as presented. All voted in favor.

Ms. Hanna presented an FY 2008 budget amendment in the amount of \$52,800.00 for FY 2007 and FY 2008 Walton Career Academy support. Commissioner Ayers made a motion to approve the budget amendment as presented. Commissioner Gasaway seconded the motion; voted and carried unanimously.

Ms. Hanna presented an FY 2008 Budget Amendment in the amount of \$35,528.00 for the EMS Department, to be funded by fund balance. The Walton Regional Health Foundation made a monetary donation in the amount of \$199,425.00 to the EMS Department for equipment in December 2004. The majority of the monies were budgeted and spent in 2005. The remaining funds in the amount of \$35,528.00 are part of the fund balance, but are restricted funds and can only be spent for the purpose for which the donation was made. Ms. Hanna explained that the remaining funds were not budgeted in the original 2008 budget. Commissioner Palmer made a motion to

approve the budget amendment as presented. Commissioner Gasaway seconded the motion. All voted in favor.

The Board considered an FY 2008 budget amendment transferring the amount of \$810,374.96 for correction to the salary amendment approved for FY 2008. Finance Consultant Chris Edwards explained that the salary survey was not complete when the FY 2008 budget was approved. He stated that the proposed amendment reflects the increase in salaries as a result of the salary survey and the associated FICA expenses. Commissioner Ayers made a motion to approve the budget amendment as presented. Commissioner Gasaway seconded the motion; voted and carried unanimously.

Finance Consultant Chris Edwards gave an update on the FY 2007 audit process.

Personnel Director Karen Fraser presented employee new hires, promotions and transfers for the Board's consideration. Commissioner Gasaway made a motion, seconded by Commissioner Dixon to approve new hires, promotions and transfers as presented, for the record. All voted in favor.

Commissioner Ayers made a motion to amend the agenda for a decision on certain exemptions to the current hiring freeze. Commissioner Gasaway seconded the motion. All voted in favor.

Commissioner Ayers made a motion to add Central Communications/911 to the list of exempted departments under the hiring freeze enacted on January 8, 2008. Commissioner Gasaway seconded the motion; voted and carried unanimously.

County Attorney Kirby Atkinson reviewed actions taken by the Walton County Water & Sewerage Authority at its meetings on January 29, 2008 and February 5, 2008. Commissioner Ayers made a motion to ratify those actions taken by the Authority at its January 29, 2008 meeting on which a decision was tabled by the Board of Commissioners at its called meeting on January 30, 2008. He further moved to ratify actions taken by the Authority at its meeting on February 5, 2008. Commissioner Palmer seconded the motion. All voted in favor.

Mr. Atkinson presented a resolution to approve the execution and delivery of the First Supplement to Intergovernmental Contract – Reservoir Project with the Walton County Water & Sewerage Authority; to approve the issuance of revenue bonds by the Walton County Water & Sewerage Authority; to ratify certain actions previously taken by the County; and for other purposes. Commissioner Atha made a motion to adopt the resolution. Commissioner Palmer seconded the motion. Commissioners Ayers, Gasaway, Palmer and

Atha voted in favor of the motion. Commissioner Dixon opposed the motion. The motion carried 4-1.

Commissioner Atha made a motion to re-appoint Ben Garrett to the Walton County Hospital Authority for a 5-year term to expire on June 30, 2012. Commissioner Ayers seconded the motion. All voted in favor.

Commissioner Gasaway made a motion to re-appoint Sue McCullers to the Walton County Hospital Authority for a 5-year term to expire on June 30, 2012. Commissioner Atha seconded the motion; voted and carried unanimously.

Commissioner Gasaway made a motion to re-appoint Dr. Mark Shaffer to the Walton County Hospital Authority for a 5-year term to expire on June 30, 2012. Commissioner Palmer seconded the motion. All voted in favor.

Commissioner Ayers made a motion to approve a refund for Smiley's Grading, Inc. in the amount of \$305.53 for 2008 Ad Valorem taxes paid in error. Commissioner Dixon seconded the motion; voted and carried unanimously.

Commissioner Ayers made a motion, seconded by Commissioner Gasaway, to approve a refund for Mary Dickman in the amount of \$387.68 for 2008 Ad Valorem taxes paid in error. All voted in favor.

The Board considered a Memorandum of Agreement with the Georgia Department of Natural Resources for the Flood Plain Map Modernization Program. Commissioner Palmer made a motion to approve the agreement. Commissioner Dixon seconded the motion; voted and carried unanimously.

The Board considered approval of an Intergovernmental Agreement with the City of Social Circle whereby the County would transfer \$600,000.00 in 2001 SPLOST monies appropriated for the repair of the bridge on Hightower Trail over CSX railroad to the City of Social Circle. Commissioner Palmer made a motion to authorize the County Attorney to prepare a contract with the City of Social Circle to include appropriate language and to bring it back before the Board for consideration. Commissioner Ayers seconded the motion. All voted in favor.

Commissioner Gasaway made a motion to approve a contract with Facility Program Management for construction management services for new SPLOST projects. Commissioner Palmer seconded the motion; voted and carried unanimously.

The Board considered a contract with Flagship GIS, Inc. for 911 mapping

conversion. County Attorney Kirby Atkinson reviewed several changes in contract language that need to be corrected prior the execution of the contract. Commissioner Ayers made a motion to approve the contract contingent upon negotiation of terms and changes in contract language as recommended by the County Attorney. Commissioner Atha seconded the motion. All voted in favor.

Commissioner Ayers made a motion to approve designation of the County as Fiscal Agent for the Partnership for Families, Children and Youth. Commissioner Gasaway seconded the motion; voted and carried unanimously.

The Board considered an Alcoholic Beverage License application for Mandeep Tuteja/Singh's Ventures, Inc., d/b/a Jerry's Corner Store – 3650 Miller Bottom Road. Commissioner Palmer made a motion to approve the license. Commissioner Atha seconded the motion. Commissioners Ayers, Palmer, Atha and Dixon voted in favor with Commissioner Gasaway abstaining. The motion carried.

The Board considered a request from the Sheriff's Department for approval of a shooting range to be located at the Roscoe Davis Road landfill site. Commissioner Palmer made a motion to approve the shooting range, restricting use to only Walton County and municipalities located in Walton County. Commissioner Ayers seconded the motion. Commissioners Ayers, Gasaway, Palmer and Dixon voted in favor of the motion. Commissioner Atha opposed the motion. The motion carried 4-1.

The Board held a public hearing on abandonment of a portion of White Road. The first public hearing regarding the proposed abandonment was held on August 7, 2007 at which time the Board voted to initiate the abandonment process. Commissioner Ayers made a motion to approve abandonment of a portion of White Road. Commissioner Gasaway seconded the motion; voted and carried unanimously. (*A drawing showing the abandoned portion of White Road is on file in the auxiliary file for this meeting.*)

Commissioner Gasaway made a motion to adopt a resolution supporting prescribed fire as recommended by the Georgia Forestry Commission. Commissioner Dixon seconded the motion. All voted in favor.

The Board discussed the need for establishment of a County Indigent Cemetery. The Board approved researching options, costs and legal requirements and to bring the findings back for the Board's consideration at the March 4, 2008 meeting.

At 7:35 p.m., Commissioner Dixon made a motion, seconded by

commissioner Atha, to enter into executive session. Commissioners Ayers, Gasaway, Palmer, Atha and Dixon voted in favor.

At 8:10 p.m., Commissioner Ayers made a motion, seconded by Commissioner Atha, to return to regular session. Commissioners Ayers, Gasaway, Palmer, Atha and Dixon voted in favor. No votes were taken while in executive session.

Commissioner Ayers made a motion to accept an option from Joe Johnson for acquisition of right of way on Bay Creek Church Road and Ga. Hwy. 81. Commissioner Atha seconded the motion; voted and carried unanimously.

At 8:12 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

RHONDA HAWK, ASST CLERK

CLINTON AYERS, DISTRICT 1

VICKIE M. GASAWAY, DIST. 3

LAMAR PALMER, DISTRICT 4

GERALD ATHA, DISTRICT 5

KIRKLYN DIXON, DISTRICT 6