

May 6, 2008

The Walton County Board of Commissioners held its regular monthly meeting on Tuesday, May 6, 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, Michael Turner, Vickie Gasaway, Lamar Palmer, Gerald Atha and Kirklyn Dixon, Assistant County Clerk Rhonda Hawk, County Attorney Kirby Atkinson, Personnel Director Karen Fraser, Finance Director Linda Hanna 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.

Becky Chenhall of the Walton County Extension Office presented Radon Poster Contest winners. Chairman Little presented each contestant with a certificate of recognition.

Fire Chief Mike Moore recognized firefighters Adam Connelly, Chris Finch and Jesse Knight for actions above and beyond the call of duty during a recent house fire.

Recreation Director Jody Johnson presented Walton County's GRPA State Track Meet Finalists.

Chairman Little called the meeting to order at 6:25 p.m. and led those present in the Pledge of Allegiance. Commissioner Dixon opened the meeting in prayer.

Commissioner Palmer made a motion to adopt the agenda, tabling Item 5.01 – Final hearing on the abandonment of portion of Dillard Drive and Item 13.05 – Contract with Certified Payments, Inc. – Credit Card Program for Tax Payments. Commissioner Atha seconded the motion. All voted in favor.

Commissioner Gasaway made a motion, seconded by Commissioner Turner, to approve the minutes of the April 1, 2008 meeting. All voted in favor.

The Board considered a Planning Commission recommendation to approve a Conditional Use to use a Cabin for a Recreation Center and Private Club for Highgrove Estates, LLC - 1025 Highgrove Dr. - District 1 - CU08020015. The subject property is identified on WC Tax Map N63F, Parcel 31. Chairman Little opened the public hearing on the matter. Ed Lamien 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 Ayers made a motion to approve the Conditional Use with the conditions that the applicant adhere to the hours between 10:00 a.m. until 10:00 p.m. Sunday through Thursday and 10:00 a.m. until 12:00 midnight on Friday and Saturdays and that the Conditional Use will be limited to existing structures on the property. Commissioner Gasaway seconded the motion. Commissioners Ayers, Gasaway, Palmer, Atha and Dixon voted in favor. Commissioner Turner opposed the motion. The motion carried 5-1.

The Board considered a Planning Commission recommendation to approve a Conditional Use for a Guest House for Katherine and Keith Glass - 665 Mt. Vernon Rd. - District 4 - CU08030004. The subject property is identified on WC Tax Map C 163, Parcel 67. Chairman Little opened the public hearing on the matter. Planning Director Mike Martin presented the request. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Palmer made a motion to approve the Conditional Use with the condition that it can only be used as a Guest House and not used as rental property. Commissioner Atha seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve a rezone from B-2 to A-1 on 13 acres to raise hay for the Conservation Program for Jennifer Megan Mazzawi - U S Highway 78 approximately 687 feet north of Snip Dillard Rd. - District 4 - Z08030001. The subject property is identified on WC Tax Map C 177, Parcel 36B. Chairman Little opened the public hearing on the matter. Jennifer Megan Mazzawi 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 Palmer made a motion to approve the rezone from B-2 to A-1. Commissioners Turner, Gasaway, Palmer, Atha and Dixon voted in favor of the motion. Commissioner Ayers opposed the motion. The motion carried 5-1.

The Board considered a Planning Commission recommendation to approve a rezone from I-1 (M-1) and M-1 to A-1 on 40.727 acres to plant trees for the Conservation Program for John Mark Mazzawi, DMD, P.C., Darin S. Wasileski, DMD, P.C., and Jeffrey Miles Mazzawi, DMD, P.C. - U.S. Highway 78 and James Huff Rd. - District 6 - Z08030002. The subject property is identified on WC Tax Map C 164, Parcel 132. Chairman Little opened the public hearing on the matter. Mark Mazzawi 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 Dixon made a motion to approve the rezone from I-1 (M-1) and M-1 to A-1. Commissioner Atha seconded the motion. Commissioners Turner, Gasaway, Palmer, Atha and Dixon voted in favor of the motion. Commissioner Ayers

opposed the motion. The motion carried 5-1.

The Board considered a Planning Commission recommendation to deny a Land Use Amendment from Suburban to Highway Corridor and Rezone 49.02 acres from B-1 and B-2 to B-3 with a Conditional Use for an Amusement and Theme Park for Lisa McNair - Georgia Highway 81 & Youth Monroe Rd.– District 3 - LU08030005, Z08030007 & CU08030006. The subject property is further identified on WC Tax Map C 51, Parcels 187 & 188. Chairman Little opened the public hearing on the matter. Applicant Lisa McNair came before the Board in support of the request. Ms. McNair presented an information package to the Board. Karen Prater, Robert Mitchell, Junior Hall, Todd Myers and Susan Boyer spoke in opposition to the request citing increased traffic, noise and environmental concerns. After further discussion, Chairman Little closed the public hearing on the matter. Commissioner Gasaway made a motion to deny the request based on information available. Commissioner Turner seconded the motion; voted and carried unanimously.

At 7:05 p.m., Commissioner Ayers made a motion to take a 5-minute break. Commissioner Gasaway seconded the motion; voted and carried unanimously.

At 7:16 p.m., Chairman Little called the meeting back to order.

The Board considered a Planning Commission recommendation to deny a Land Use Amendment from Rural Residential to Suburban and Rezone from A-1 and B-2 to B-1 for a light commercial development for Equity Trust Company - 3130 Bold Springs Rd. - District 5 - LU08030008 and Z08030009. The subject property is identified on WC Tax Map C 85, Parcel 62. 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 reserved the applicant's Constitutional rights for the record. Chris Cooper, who resides at 403 Powers Road, spoke in opposition. Mr. Cooper presented petitions with signatures of area residents who oppose business zoning on the subject property. Rick Lunsford, who resides at 1380 Ivy Plantation spoke in opposition citing traffic concerns, water runoff, and the negative effect on property values as reasons for opposition. After further discussion, Chairman Little closed the public hearing on the matter. Commissioner Atha made a motion, seconded by Commissioner Palmer, to deny the request. 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 Turner made a motion to approve contracts and budgeted purchases as presented. Commissioner Atha seconded the motion; voted and carried unanimously.

Commissioner Turner made a motion, seconded by Commissioner Atha, to approve an FY 2008 departmental budget transfer in the amount of \$54,000.00 for Finance Administration to cover anticipated costs of auditing and finance through the end of FY 2008. All voted in favor.

Commissioner Ayers made a motion, seconded by Commissioner Gasaway, to approve an FY 2008 departmental budget transfer in the amount of \$50,000.00 for the Public Works Department to cover the costs for spring dust control. All voted in favor.

Commissioner Ayers made a motion, seconded by Commissioner Turner, to approve an FY 2008 departmental budget transfer in the amount of \$321,338.00 for the Public works Department for the purchase of an asphalt paving machine. All voted in favor.

Commissioner Palmer made a motion to approve an FY 2008 departmental budget transfer in the amount of \$12,265.00 for the Walton County Jail for the purchase of a copier. Commissioner Gasaway seconded the motion; voted and carried unanimously.

Commissioner Palmer made a motion, seconded by Commissioner Atha, to approve an FY 2008 departmental budget transfer in the amount of \$144,900.00 for the Sheriff's Department for equipment for new cars. All voted in favor.

The Board considered an engagement letter from Clifton, Lipford, Hardison & Parker, LLC. amending the current professional services engagement to complete additional work to get Walton County fully in-line with the goals and objectives set one year ago that continue to need attention. Commissioner Turner made a motion to approve the engagement letter. Commissioner Atha seconded the motion; voted and carried unanimously.

Morris Jordan of the Walton County Development Authority requested the Board appropriate \$650,000.00 currently budgeted for debt service on a Development Authority loan that has since been paid in full to pay for a grading project at Piedmont Industrial Park. Mr. Jordan presented bids received for the project, with the low bid being \$574,900.00. Commissioner Turner made a motion, seconded by Commissioner Gasaway, to approve the request. All voted in favor.

Commissioner Gasaway made a motion to approve the purchase of EMS Dispatching Software from Priority Dispatch in the amount of \$43,249.00. Commissioner Palmer seconded the motion; voted and carried unanimously.

Probate Court Judge Greg Adams presented a request to purchase a Live-Scan Fingerprint System from Comnetix, Inc. in the amount of \$15,291.00, along with yearly support in the amount of \$2,800.00. Judge Adams stated that with the tremendous growth in the County and the increase in the number of firearms applications, the current process has become outdated and unmanageable. He proposed purchasing the equipment with County Impact Fees. Commissioner Ayers made a motion to approve the request. Commissioner Gasaway seconded the motion; voted and carried unanimously.

Finance Director Linda Hanna presented a proposed FY 2009 budget calendar for the Board's consideration. Commissioner Palmer made a motion, seconded by Commissioner Gasaway, to approve the budget calendar as presented. All voted in favor.

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

Nancy Stone, Chairman of the Employee Benefits Committee, presented a proposed amendment to the Employee Donated Leave Policy. Commissioner Palmer made a motion to approve the amendment as presented. Commissioner Gasaway seconded the motion; voted and carried unanimously.

Public Defender Anthony Carter presented a request for exemption from the hiring freeze in order to fill an Investigator position. Subsequently, Probate Judge Greg Adams, Facilities Manager Joyce Chambers, Road Superintendent Steve Chandler and Recreation Director Jody Johnson requested the Board consider lifting the hiring freeze so that crucial positions might be filled. County Attorney Kirby Atkinson suggested the Board amend the agenda to consider lifting the hiring freeze. Commissioner Gasaway made a motion, seconded by Commissioner Ayers, to amend the agenda to consider lifting the hiring freeze. All voted in favor. After extensive discussion, Commissioner Palmer made a motion to allow Department Heads to replace the people who have quit, but not the authority for any new hires. Commissioner Turner requested Commissioner Palmer to amend his motion to hire temporary to permanent employees. Commissioner Palmer stated that he would leave that decision to the Department Head's discretion. Commissioner Palmer restated his motion to allow Department Heads and Elected Officials to replace anybody that quits or retires but not hire any new hires. He further moved to approve filling positions that have been vacated since the hiring freeze. Commissioner Gasaway seconded the motion. After further discussion, Commissioner Palmer withdrew his motion

and Commissioner Gasaway withdrew her second. Commissioner Gasaway made a motion to lift the hiring freeze for any FY 2008 budgeted vacant positions and to give the Department Heads and Elected Officials the discretion to hire temporary employees wherever possible and if not possible, to hire regular employees. Commissioner Palmer seconded the motion. All voted in favor, including Chairman Little.

Walton County Water & Sewerage Authority General Manager Wendell Geiger presented actions taken by the Authority at its meetings on April 30, 2008. Commissioner Turner made a motion, seconded by Commissioner Atha, to ratify actions taken by the Authority at its April 30, 2008 meetings. All voted in favor.

The Board held a public hearing on an amendment to the Walton County Food Service Ordinance to adopt, for enforcement purposes, the Rules and Regulations for Food Service Chapter 290-5-14 as adopted by the Walton County Board of Health to provide for the prosecution, trial and punishment for violations of that ordinance; to provide for procedures relating thereto; to provide an effective date; to repeal conflicting ordinances and for other purposes. Chairman Little opened the public hearing on the matter. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Gasaway made a motion to adopt the ordinance as presented. Commissioner Dixon seconded the motion; voted and carried unanimously.

Commissioner Turner made a motion to approve an amendment extending the current Cooperative Agreement with the Natural Resources Conservation Service to provide Federal funding for a portion of one NRCS employee's salary in the amount of \$25,485.00. Commissioner Palmer seconded the motion. All voted in favor.

Commissioner Ayers made a motion to approve an Intergovernmental Contract with the Town of Between in the amount of \$11,145.00 for widening a portion of Nunnally Farm Road. Commissioner Palmer seconded the motion; voted and carried unanimously.

Commissioner Palmer made a motion to approve an Intergovernmental Contract with the City of Social Circle for appropriation of \$600,000.00 in SPLOST funds for the CSX Bridge Project. Commissioner Atha seconded the motion. All voted in favor.

Commissioner Ayers made a motion to approve a contract with the Department of the Navy for lease of six pairs of night vision goggles for the Sheriff's Office in the amount of \$1,800.00, with payment of the lease from the Forfeited Drug Fund. Commissioner Palmer seconded the motion; voted

and carried unanimously.

The Board considered a change order in the contract with Gary's Grading & Pipeline Co., Inc. - Intersection Improvements – Bold Springs Road @ Carl Davis Road to cover the cost of resurfacing Bold Springs Road from Hickory Grove Church Road to James Powers Road that was left unfinished until completion of the intersection improvement project. Commissioner Ayers made a motion to approve the change order in the amount of \$79,975.00. Commissioner Atha seconded the motion. All voted in favor.

Facilities Manager Joyce Chambers requested authority to negotiate a proposal from Precision Planning, Inc. for engineering and design services for the Russell Drive Extension Project. Ms. Chambers requested the Board give Chairman Little the authority to approve the proposal upon completion of negotiations. She stated that the design and construction would be paid from 2001 SPLOST proceeds. Commissioner Dixon made a motion to approve the request. Commissioner Atha seconded the motion; voted and carried unanimously.

Commissioner Atha read aloud a recommendation from the Oconee River RC&D to appoint Kenneth Little as Walton County's representative. Commissioner Ayers made a motion, seconded by Commissioner Gasaway, to appoint Kenneth Little as Walton County's representative on the Oconee River RC&D Council. All voted in favor.

Chairman Little made a motion to appoint Ryan Smith as the at-large representative to the Walton County Water & Sewerage Authority. Commissioner Atha seconded the motion; voted and carried unanimously.

Commissioner Atha made a motion to approve an Alcoholic Beverage License for Farrukh Alam Shaikh – Allstar Monroe, LLC. – 1700 Bold Springs Road. Commissioner Palmer seconded the motion. Commissioners Ayers, Turner, Palmer, Atha and Dixon voted in favor of the motion with Commissioner Gasaway abstaining. The motion carried.

Commissioner Turner made a motion to approve an Alcoholic Beverage License for Gurinder Singh for a new convenience store to be built at the intersection of Ga. Hwy. 81 and Claude Brewer Road. Commissioner Atha seconded the motion. Commissioners Ayers, Turner, Palmer, Atha and Dixon voted in favor of the motion with Commissioner Gasaway abstaining. The motion carried. *(This license was not issued. The applicant did not follow through with the purchase of the property.)*

Commissioner Atha made a motion to approve a Bulletproof Vest Grant application for the Sheriff's Department. Commissioner Dixon seconded the

motion; voted and carried unanimously.

Commissioner Ayers made a motion to approve a SCCAP Grant Application for the Sheriff's Department. Commissioner Atha seconded the motion; voted and carried unanimously.

Road Superintendent Steve Chandler requested a decision on paving a portion of Mt. Paron Church Road. He stated that the estimate to pave the dirt portion of Mt. Paron Church Road from Knox Chapel Road approximately 3,000 feet to the last drive way on the road is \$81,000.00. He stated that a developer forfeited the \$50,000.00 bond for paving the road when the development was completed. Mr. Chandler stated that the Finance Department is holding the \$50,000.00. Commissioner Palmer made a motion to pave the portion of Mt. Paron Church Road from Knox Chapel Road to the last driveway on the road. Commissioner Dixon seconded the motion. All voted in favor.

The Board considered a request from Mrs. Frances McKissick to install an 8 ft. fence at the McGarity Passive Park located in Jersey. Commissioner Gasaway made a motion to approve the addition of the 8 ft. fence. Commissioner Turner seconded the motion. All voted in favor.

Merridy McDaniel spoke during the public comment segment of the meeting.

At 9:10 p.m., Commissioner Gasaway made a motion to enter into executive session to discuss real estate matters and potential litigation. Commissioner Dixon seconded the motion. Commissioners Ayers, Turner, Gasaway, Palmer, Atha and Dixon voted in favor.

At 9:45 p.m., Commissioner Gasaway made a motion, seconded by Commissioner Dixon, to return to regular session. Commissioners Ayers, Turner, Gasaway, Palmer, Atha and Dixon voted in favor. Chairman Little stated that no votes were taken while in executive session.

Commissioner Gasaway made a motion to authorize the County Attorney to proceed with the purchase and option agreement discussed in executive session. Commissioner Turner seconded the motion. All voted in favor.

Commissioner Ayers made a motion to authorize condemnation of property discussed in executive session and to adopt the necessary resolution. Commissioner Gasaway seconded the motion; voted and carried unanimously.

Commissioner Ayers made a motion to authorize the County Attorney to make another offer on property discussed in executive session.

Commissioner Palmer seconded the motion. All voted in favor.

At 9:47 p.m., Commissioner Atha made a motion to adjourn the meeting. Commissioner Gasaway 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.

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KEVIN W. LITTLE, CHAIRMAN      \_\_\_\_\_  
RHONDA HAWK ASST. CLERK

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CLINTON AYERS, DISTRICT 1      \_\_\_\_\_  
MICHAEL TURNER, DISTRICT 2

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

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GERALD ATHA, DISTRICT 5      \_\_\_\_\_  
KIRKLYN DIXON, DISTRICT 6