

July 7, 2009

The Walton County Board of Commissioners held its regular monthly meeting on Tuesday, July 7, 2009 at 6:00 p.m. in the Board Room of the Walton County Government Building, 303 South Hammond Drive, Suite 330, Monroe, Georgia. Those present included Chairman Kevin Little, Commissioners Clinton Ayers, Chuck Bagley, Vickie Gasaway, Lamar Palmer, Gerald Atha and Kirklyn Dixon, County Clerk Leta Talbird, 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.

Chairman Little called the meeting to order at 6:03 p.m. and led those present in the Pledge of Allegiance. Commissioner Dixon opened the meeting in prayer.

Commissioner Atha made a motion to adopt the agenda, moving Item 19.01 Alcoholic Beverage License – Vernon Keith Peters – Cowpens Grocery to be heard before Item 6.01 Unfinished Business. Commissioner Gasaway seconded the motion. All voted in favor.

The Board considered an Alcoholic Beverage License application for Vernon Keith Peters – Cowpens Grocery, 1160 Pannell Road. Keith and Todd Peters came before the Board to request approval of the license. Todd Peters submitted a petition with approximately 750 signatures of people who support the store being granted a license. Mr. Peters also presented a certified letter from the River of Life Worship Center located at 1150 Pannell Road, which states that the church does not have a problem with Cowpens Store selling beer or wine. Greg Butler, pastor of Bible Baptist Church, and Brad Waters, pastor of Grace Baptist Church, spoke in opposition of the license being approved. Commissioner Atha made a motion to approve the license. Commissioner Palmer seconded the motion. Commissioners Bagley, Palmer, Atha and Dixon voted in favor of the motion. Commissioners Ayers and Gasaway opposed the motion. The motion carried 4-2.

At 6:30 p.m., Commissioner Atha made a motion, seconded by Commissioner Dixon, to take a 5-minute break. All voted in favor.

At 6:35 p.m., Chairman Little called the meeting back to order.

The Board considered a Planning Commission recommendation to approve Rezone Z09050002 – MH (A-2) to R-1 for three 1+ acre lots and to replace

three older mobile homes with three new mobile homes with a variance waiving regulations regarding roof pitch and the requirement for a 2-car garage for Crown Point Properties, LLC. The affected property is located at 177 Adams Way and Hightower Trail and is further identified on WC Tax Map C 54, Parcel 189. Chairman Little opened the public hearing on the matter. Todd Hogan, representing Crown Point Properties, 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 to approve the rezone with waiver of the roof pitch requirement and waiver of the 2-car garage requirement that were noted in the Planning Commission minutes. She further moved to condition the rezone on the following: Provide front and rear decks as per code, masonry underpinning, parking pad, individual driveways and the old mobile homes must be removed within 30 days. Commissioner Ayers seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to approve Conditional Use CU09050001 – Guest House for Juanita Stafford. The affected property is located at 2269 Bethany Church Road and is further identified on WC Tax Map C 164, Parcel 77. Chairman Little opened the public hearing on the matter. Juanita Stafford 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 Palmer made a motion to approve the conditional use with the stipulation that the main residence or guesthouse can never be rented. Commissioner Dixon seconded the motion; voted and carried unanimously.

Planning Director Mike Martin discussed the possibility of the addition of an R-1600 Overlay District and an amendment to Land Development Ordinance Article 9, Section 130.C regarding substandard streets. Mr. Martin requested the Board consider the changes to help developers in certain areas of the County to be able to sell lots and to spur development. The Board took no action on the matter.

Finance Director Linda Hanna presented an FY 2009 Departmental Budget Transfer in the amount of \$23,000.00 from SPLOST to Parks & Recreation to cover an invoice paid to the City of Loganville through an intergovernmental agreement to provide water/sewer connections at Meridian Park. Commissioner Bagley made a motion to approve the transfer. Commissioner Atha seconded the motion; voted and carried unanimously.

Ms. Hanna presented an FY 2009 Budget Amendment for EMA in the amount of \$21,150.00 for grant funds not expended in the FY 2009 budget to be put in the FY 2010 budget. Commissioner Gasaway made a motion to approve the amendment. Commissioner Palmer seconded the motion. All

voted in favor.

Ms. Hanna presented an FY 2009 Budget Amendment for the District Attorney's Office in the amount of \$1,036.56 to cover salaries of furloughed employees for the month of June 2009, to be reimbursed from the Drug Forfeiture Account. Commissioner Palmer made a motion to approve the amendment. Commissioner Dixon seconded the motion. Commissioners Bagley, Gasaway, Palmer and Dixon voted in favor of the motion. Commissioners Ayers and Atha opposed the motion. The motion carried 4-2.

Ms. Hanna presented a request to establish a Seized Drug Fund for FY 2010. Commissioner Ayers made a motion to approve the request. Commissioner Atha seconded the motion; voted and carried unanimously.

Commissioner Atha made a motion, seconded by Commissioner Palmer, to adopt a resolution authorizing the Chairman to amend the FY 2009 budgets as part of the fiscal year closing process. All voted in favor.

Commissioner Gasaway made a motion to approve adding the signatures of County Clerk Leta Talbird, Finance Director Linda Hanna and Chairman Kevin Little to the Parks & Recreation bank account. Commissioner Palmer seconded the motion. All voted in favor.

Facilities Manager Joyce Chambers requested the Board approve the surplus of three vehicles and old radios. Ms. Chambers also requested approval to donate one of the vehicles to the Senior Citizens Center and two vehicles to DeKalb Technical College Police Academy. Commissioner Palmer made a motion to approve the request subject to any funding source requirements. Commissioner Dixon seconded the motion. Commissioners Ayers, Bagley, Palmer, Atha & Dixon voted in favor with Commissioner Gasaway abstaining. The motion carried.

Jimmy Parker of Precision Planning, Inc. presented bids received for the New Hope Church Road Water Systems Improvements. Commissioner Bagley made a motion to award the low bid in the amount of \$1,168,699.00 from Astra Grading & Pipe. Commissioner Ayers seconded the motion; voted and carried unanimously.

Commissioner Gasaway made a motion, seconded by Commissioner Ayers, to approve contracts and budgeted purchases of \$2,500.00 or greater as presented. All voted in favor.

The Board considered the lease/purchase of two fire trucks. Finance Director Linda Hanna stated that the best rates received are from Athens First Bank & Trust. She stated that \$50,000.00 was budgeted for the down payment and

that \$62,000.00 in impact fee proceeds would be used toward the purchase. Commissioner Bagley made a motion to approve the lease/purchase as presented. Commissioner Dixon seconded the motion; voted and carried unanimously.

Commissioner Dixon made a motion to approve application for an FY 2009 Assistance to Firefighters Construction Grant in the maximum amount that the County can justify. Commissioner Atha seconded the motion. All voted in favor.

Commissioner Palmer made a motion to approve application for a Georgia Emergency Management Agency – Homeland Security Grant in the amount of \$10,000.00 for funds to protect against, respond to, and recover from terrorist attacks, major disasters and other emergencies. Commissioner Gasaway seconded the motion; voted and carried unanimously.

Commissioner Gasaway made a motion to approve application for the renewal of a USDA Natural Resources Conservation Service Grant for funds for a Technical Service Provider for the Natural Resources Conservation Service. Commissioner Atha seconded the motion. All voted in favor.

Commissioner Bagley made a motion to adopt a resolution supporting the application for a Georgia Department of Community Affairs Community Development Block Grant, Employment Incentive Program to provide funds for a rail spur to address the needs of General Mills Operations, LLC. Commissioner Ayers seconded the motion; voted and carried unanimously.

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

The Board considered a Board of Tax Assessors recommendation to deny a tax refund for Victoria Chapman. Commissioner Ayers made a motion to deny the refund based on the Board of Tax Assessor's recommendation. Commissioner Palmer seconded the motion. All voted in favor.

Commissioner Atha made a motion to adopt a resolution requiring collection of a 5 percent franchise fee for all gross revenues generated by any cable or video service provider within the unincorporated areas of Walton County. Commissioner Palmer seconded the motion; voted and carried unanimously.

Commissioner Atha made a motion to approve, for the record, an agreement with Allen Smith Consulting for grant writing services for the Department of

Community Affairs Community Development Block Grant, Employment Incentive Program to provide funds for a rail spur to address the needs of General Mills Operations, LLC. Commissioner Palmer seconded the motion. All voted in favor.

Commissioner Atha made a motion to approve an Automatic and Mutual Aid Assistance Agreement for Fire Department Services with the City of Loganville. Commissioner Palmer seconded the motion; voted and carried unanimously.

Commissioner Ayers made a motion to approve a contract with Cathy Clark Garey for Counseling Services for Probationers subject to changes recommended by the County Attorney. Commissioner Gasaway seconded the motion. All voted in favor.

Commissioner Bagley made a motion to approve, for the record, an agreement with Jordan, Jones & Goulding for Water Department Management Assistance. Commissioner Atha seconded the motion; voted and carried unanimously.

Facilities Manager Joyce Chambers presented a Memorandum of Understanding with Easter Seals North Georgia, Inc. for use of the county facility located at 832 Georgia Highway 11, South (formerly Head Start facility). Commissioner Palmer made a motion to authorize Chairman Little to execute the agreement after changes recommended by the County Attorney are made. Commissioner Gasaway seconded the motion. All voted in favor.

Commissioner Ayers made a motion to approve a Memorandum of Understanding with the Walton County Amateur Radio Emergency Service. Commissioner Gasaway seconded the motion; voted and carried unanimously.

Commissioner Ayers made a motion to approve GDOT Contract TSAP0-S006-00 (020) – Intersection Improvements – State Route 81 at Bay Creek Church Road. Commissioner Bagley seconded the motion. All voted in favor.

Commissioner Gasaway made a motion to approve Juvenile Court Evening Reporting Center Contracts with James Vaughn and Tom Evans subject to changes recommended by the County Attorney. Commissioner Palmer seconded the motion; voted and carried unanimously.

Commissioner Gasaway made a motion to approve an Engagement Letter with CBIZ for GASB 45 Post Retirement Health Services – Interim

Reporting. Commissioner Palmer seconded the motion; voted and carried unanimously.

Commissioner Gasaway made a motion to approve a Flexible Spending Account Claims Administration Agreement with Taylor Benefit Resource, Inc. Commissioner Dixon seconded the motion. All voted in favor.

William Carlan of the University of Georgia Cooperative Extension Service presented amendments to the Memorandum of Understanding for Lease of the Agriculture Education Center for the Board's consideration. Commissioner Dixon made a motion, seconded by Commissioner Gasaway, to approve the amendments as presented. All voted in favor.

Doug Morgan, Director of the Walton County Department of Family & Children Services, requested support from the Board for construction of a new DFACS facility. He stated that recently passed House Bill 119 provides funding for a new facility with no cost to the County. After discussion, Commissioner Ayers made a motion to authorize Chairman Little to sign off on approval of the project after all of the Board's questions about the proposed project have been answered. Commissioner Bagley seconded the motion; voted and carried unanimously.

Chairman Little presented revised cost estimates to pave Nunnally Farm Road and Liberty Hill Church Road. He stated that these roads are prepped and ready to be paved. Commissioner Gasaway made a motion, seconded by Commissioner Ayers, to approve paving the roads, based on estimates received from the Public Works Department. All voted in favor.

At 7:45 p.m., Commissioner Ayers made a motion, seconded by Commissioner Dixon, to enter into executive session to discuss personnel matters. Commissioners Ayers, Bagley, Gasaway, Palmer, Atha and Dixon voted in favor of the motion.

At 8:13 p.m., Commissioner Ayers made a motion, seconded by Commissioner Bagley, to return to regular session. Commissioners Ayers, Bagley, Gasaway, Palmer, Atha and Dixon voted in favor of the motion. Chairman Little stated that no votes were taken while in executive session.

Commissioner Bagley discussed the need to clarify the role and responsibilities delegated by the Board to Chairman Little. No action was taken on the matter.

At 8:20 p.m., Commissioner Dixon made a motion, seconded by Commissioner Atha, 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.

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KEVIN W. LITTLE, CHAIRMAN      LETA P. TALBIRD, CLERK

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CLINTON AYERS, DISTRICT 1      CHUCK BAGLEY, 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