

September 1, 2009

The Walton County Board of Commissioners held its regular monthly meeting on Tuesday, September 1, 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 6:00 p.m. and led those present in the Pledge of Allegiance. Commissioner Dixon opened the meeting in prayer.

Commissioner Gasaway made a motion to adopt the agenda, moving Item 9.01 Rezone from R-2 & B-1 to B-3 for Drive Away Today Auto Sales to be heard first on the agenda. Commissioner Atha seconded the motion. All voted in favor.

Commissioner Atha made a motion to approve the minutes of the August 4, 2009 and August 12, 2009 meetings. Commissioner Dixon seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve Rezone Z09070001 – R-2 & B-1 to B-3 for Drive Away Today Auto Sales. The affected property is located at 1390 Highway 138 & Coggins Road and is further identified on WC Tax Map C 76, Parcels 80 & 80A. Chairman Little opened the public hearing on the matter. Jeff Hurdle came before the Board in support of the rezone. Jerry Rowe expressed his concerns regarding the rezone, but indicated that the proposed lighting requirements changed his consideration. Chairman Little closed the public hearing on the matter. Commissioner Gasaway made a motion to approve the rezone with the following stipulations: Submittal of a fully engineered site plan meeting all applicable development guidelines, lighting to be inward and hooded downward and that all existing buildings will be removed. Commissioner Ayers seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to deny Conditional Use CU09060012 – Recreation Center and Private Club for Billie Faye Green. The affected property is located at 5550 Sandy Creek Road & and North Sharon Church Road and is further identified on WC Tax

Map C 11, Parcel 124. Chairman Little opened the public hearing on the matter. Mark Banks, representing the applicant, came before the Board in support of the Conditional Use. John Nix, representing the Sandy Creek Homeowners Association, came before the Board in opposition to the Conditional Use. Mr. Nix submitted, for the record, a Constitutional Objection as previously filed with the Planning Commission, an Affidavit of adjoining property owner Jason Keever opposing the Conditional Use and photographs of the current use of the property. A petition with signatures of area residents opposed to the Conditional Use was also submitted for the record. Ron Bail, Mike Archer and Anita Owens also spoke in opposition. Ted Montisanto, Betty Feagan and Neal Byrd spoke in favor of the Conditional Use. Chairman Little closed the public hearing on the matter. Commissioner Bagley asked Planning Director Mike Martin what would have to be done for Mr. Ray to hold the singings without a zoning action. Mr. Martin stated that occasionally holding functions with friends would not require any zoning action. He stated that the Planning & Development Department erred on the side of caution because of the signs placed on the property by Mr. Ray and radio advertisements for the singings. He stated that the Sign Ordinance is not intended to prohibit non-commercial signs. After further discussion, Commissioner Bagley made a motion to table the matter for one month and ask both sides to get together and work toward a compromise. Commissioner Ayers seconded the motion; voted and carried unanimously.

At 6:46 p.m., Commissioner Ayers made a motion to take a brief recess. Commissioner Palmer seconded the motion. All voted in favor.

Chairman Little called the meeting back to order at 6:53 p.m.

The Board considered a Planning Commission recommendation to approve Conditional Use CU09060011 – Telecommunications Tower for Peachtree Towers, LLC. The affected property is located on Fannie Thompson Road & Nicholasville Road and is further identified on WC Tax Map C 85, Parcel 34. Chairman Little opened the public hearing on the matter. Lane Wright, representing the applicant, came before the Board in support of the Conditional Use. He stated that the application meets or exceeds all requirements of the Walton County Land Development Ordinance. Adjoining property owner Wayne Ewing spoke in opposition. Chairman Little closed the public hearing on the matter. Commissioner Atha made a motion to approve the Conditional Use. Commissioner Palmer seconded the motion. All voted in favor.

The Board considered a request from the property owners in Fox Valley Subdivision to be added to the Street Lighting Tax District. Commissioner Gasaway made a motion to approve the request. Commissioner Atha

seconded the motion; voted and carried unanimously.

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

Commissioner Gasaway made a motion to declare surplus certain equipment submitted by the Public Works Department. Commissioner Ayers seconded the motion; voted and carried unanimously. *A list of the property declared surplus is on file in the auxiliary file under this meeting date.*

Road Superintendent Steve Chandler presented bids received for paving certain subdivision streets. Mr. Chandler requested the Board give the Chairman the authority to award the bid after staff has had time to review the bids and make a recommendation. Commissioner Atha made a motion to authorize the Chairman to award the bid after all bids are reviewed and a recommendation is made. Commissioner Palmer seconded the motion; voted and carried unanimously.

Finance Director Linda Hanna presented an application for the Governor's Office of Children & Families Caring Communities System of Care Grant. Ms. Hanna explained that the target group served by the grant has changed significantly and that the Walton County Board of Education would now be the only agency served by the grant. She recommended the Board pass on the grant and allow the Board of Education to approve the application and fiscal agent designation. Commissioner Gasaway made a motion to pass on the Grant as recommended. Commissioner Dixon seconded the motion. All voted in favor.

Commissioner Palmer made a motion to approve the Sheriff's Office application for a Lawrence Foundation Grant. Commissioner Atha seconded the motion. All voted in favor.

Commissioner Ayers made a motion, seconded by Commissioner Atha, to approve the Sheriff's Office application for a Chatlos Foundation Grant. All voted in favor.

Commissioner Dixon made a motion to approve renewal of the application for the FY 2009 Emergency Management Preparedness Grant & Performance Partnership Agreement. Commissioner Atha seconded the motion; voted and carried unanimously.

Personnel Director Karen Fraser presented employee new hires, promotions and changes in status for the Board's consideration. Commissioner Gasaway

made a motion to approve the aforementioned personnel matters as presented, for the record. Commissioner Bagley seconded the motion; voted and carried unanimously.

The Board considered ratification of actions taken by the Walton County Water & Sewerage Authority at its meeting on 8/25/09. Water Department Director Morris Jordan was available to answer questions from the Board. Commissioner Bagley made a motion, seconded by Commissioner Palmer, to ratify actions taken by the Walton County Water & Sewerage Authority at its meeting held on 8/25/09. All voted in favor.

Commissioner Atha made a motion to approve a refund for Brian Keith Headspeth in the amount of \$157.84 for over payment of 2007 & 2008 Ad Valorem taxes. Commissioner Gasaway seconded the motion; voted and carried unanimously.

Commissioner Bagley made a motion to approve a refund in the amount of \$38.00 for Angela Sonia Greene for a tag fee. Commissioner Gasaway seconded the motion. All voted in favor.

Jimmy Parker of Precision Planning, Inc. presented a change order for the contract with Gary's Grading & Pipeline for the Youth Monroe Road Transmission Main Project. Mr. Parker stated that the change order would result in a net decrease in the amount of \$35,890.60. Commissioner Dixon made a motion, seconded by Commissioner Bagley, to approve the change order as presented. All voted in favor.

Recreation Director Jody Johnson presented a revised fee structure for ball field rentals for the Board's consideration. Commissioner Bagley made a motion to approve the revised fees. Commissioner Atha seconded the motion. Commissioners Ayers, Bagley, Gasaway, Palmer and Atha voted in favor of the motion. Commissioner Dixon opposed the motion. The motion carried 5-1.

The Board considered a request from the Census Bureau for waiver of facility rental and deposit fees for use of the Felker Park Community Center. Commissioner Ayers made a motion to waive the fees with the conditions that use of the facility by the Census Bureau has to be scheduled around the regular activities held at the Community Center and that they clean up after themselves. Commissioner Dixon seconded the motion. All voted in favor.

At 7:25 p.m., Commissioner Bagley made a motion to enter into executive session to discuss real estate matters and potential litigation. Commissioner Ayers seconded the motion. Commissioners Ayers, Bagley, Gasaway, Palmer, Atha and Dixon voted in favor.

At 8:00 p.m., Commissioner Gasaway made a motion to return to regular session. Commissioner Dixon seconded the motion. Commissioners Ayers, Bagley, Gasaway, Palmer, Atha and Dixon voted in favor. Chairman Little stated that no votes were taken while in executive session.

At 8:01 p.m., Commissioner Palmer made a motion, seconded by Commissioner Dixon, 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

CHUCK BAGLEY, DISTRICT 2

VICKIE M. GASAWAY, DIST. 3

LAMAR PALMER, DISTRICT 4

GERALD ATHA, DISTRICT 5

KIRKLYN DIXON, DISTRICT 6