

October 6, 2009

The Walton County Board of Commissioners held its regular monthly meeting on Tuesday, October 6, 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.

The Board presented Jerry Connell with a pewter plate to recognize his years of service to the Walton County Board of Elections.

Gary Lang of Walton Medical Center made a presentation on the One Walton Project.

Chairman Little called the meeting to order at 6:10 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, swapping the order in which Items 8.01 and 9.01 will be considered. Commissioner Atha seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to deny CU09060012 – Conditional Use for a Recreation Center and Club, Private 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 stated that the public hearing on this application was held at the September 1, 2009 meeting. Commissioner Bagley made a motion to approve the Conditional Use subject to conditions recommended by the Planning Department. Those conditions are as follows: Limit hours of operation to 8:00 a.m. – 10:00 p.m.; Engineered report to change occupancy from accessory use to place of assembly; Provide fully engineered site plan meeting all applicable development guidelines; Provide a 6 ft. screening fence along the right of way and provide appropriate approval from Walton County Health Department. Commissioner Bagley further moved to place the following conditions on the Conditional Use: The total number of buildings, signs, yard art and other paraphernalia in place on October 6, 2009 is the total number of pieces allowed at any time; The individual pieces may be changed out at any time on a one to one basis as often as desired but the number of total pieces may not be increased and only the existing building at its existing size can be used; Signs may not advertise any business that is in operation in the Metro Atlanta area; Telephone numbers must not be working telephone numbers in the local Metro Atlanta calling area; Use of alcoholic beverages on the property is not allowed; There is to be no advertising including radio, television, flyers or print media to promote the

activities on the property in question. Commissioner Palmer seconded the motion; voted and carried unanimously.

At 6:15 p.m. the Board briefly recessed.

Chairman Little called the meeting back to order at 6:20 p.m.

The Board considered a Planning Commission recommendation to approve CU09080002 – Conditional Use for a Guest House for Wanda L. Mathis and Mark Elliott. The affected property is located at 4000 Whitney Road and is further identified on WC Tax Map N169A, Parcel 74. Chairman Little opened the public hearing on the matter. Wanda Mathis 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 guest house can never be rented. Commissioner Dixon seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve amendments to the Walton County Land Development Ordinance as shown on Errata Sheet dated 8-3-09. Chairman Little opened the public hearing on the matter. Associate Planning Director Charna Parker presented the proposed amendments. Ms. Parker stated that the amendments include guidelines for an Airpark Overlay District; Deletion of Article 4, Part 3, Section 120 - Dimensional Standards; Deletion of Article 5, Part 2, Section 100.A.4 – Accessory Uses – General Standards; Amendment to Article 11, Part 3, Section 140.C.15 adding wording for ephemeral streams as per State guidelines; Amendment to Article 4, Part 2, Section 160 G, adding Item #3 to the Big Haynes & Alcovy Watershed Protection Overlay District (W-P1) – Variances shall not be required for encroachments into watershed buffers within a stream mitigation plan provided that EPD and the US Army Corp of Engineers have granted a variance or allowed an encroachment into the minimum tributary buffer; and Amendment to Article 4, Part 2, Section 170 G, adding Item # 3 to the Cornish Creek, Beaver Dam Creek Watershed and Hard Labor Creek Overlay Protection District (W-P2) - Variances shall not be required for encroachments into watershed buffers within a stream mitigation plan provided that EPD and the US Army Corp of Engineers have granted a variance or allowed an encroachment into the minimum tributary buffer. Commissioner Atha made a motion to approve the amendments. Commissioner Palmer seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to approve AZ09080003 – Alteration to zoning condition to add an Airpark to the Overlay District in A-1 for William L. Patterson. The affected property is located at 333 Cheek Road and is further identified on WC Tax Map C 190, Parcels 5 & 6. Chairman Little opened the public hearing on the matter. Attorney Douglas Dillard, representing the applicant, came before the Board in support of the application. Mr. Dillard agreed to the condition that no aircraft will take off or land from the development between the hours of 10:00 a.m. and 12:00 p.m. on Sundays. There was no one present in opposition. Chairman Little closed

the public hearing on the matter. Commissioner Atha made a motion to approve the alteration to zoning. Commissioner Dixon seconded the motion. All voted in favor.

The Board considered a request from Neal Jackson to delay the paving of Shockley Road from the entrance of Shockley Springs Subdivision to Partain Road until Shockley Springs Subdivision is 90 % built out. Mr. Jackson stated that he obtained a bid from Sims Paving in the amount of \$58,163.00 and would put up a bond or letter of credit in that amount. Planning Director Mike Martin presented a cost estimate from the Public Works Department for grading, setting base and paving the road. Commissioner Ayers suggested that a time limit be placed on the delay. After further discussion, Commissioner Atha made a motion to approve the delay in paving Shockley Road for up to five years with an option to extend the time limit and with Mr. Jackson putting up a bond or letter of credit in the amount of \$58,163.00. Commissioner Dixon 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 Gasaway made a motion, seconded by Commissioner Ayers, to approve contracts and budgeted purchases as presented. All voted in favor.

Ms. Hanna presented an FY 2010 budget amendment in the amount of \$9,437.00 for the Sheriff's Office to reflect the receipt of insurance proceeds for damages to a metal building. Ms. Hanna also presented an FY 2010 budget amendment in the amount of \$20,000.00 from equipment to buildings for repairs to the Diversion Center roof. Commissioner Ayers made a motion to approve the budget amendments as presented. Commissioner Palmer seconded the motion; voted and carried unanimously.

Commissioner Ayers made a motion to approve an Automated Clearing House Funds Transfer Agreement with Athens First Bank. Commissioner Gasaway seconded the motion. All voted in favor.

Commissioner Ayers made a motion to accept a drug forfeited 1999 Ford Mustang for use by the Sheriff's Office. Commissioner Ayers made a motion to accept the vehicle. Commissioner Atha seconded the motion; voted and carried unanimously.

Jimmy Parker of Precision Planning presented bids received on the Nicholasville Road/Glass Road Water System Improvements and the Between II Tank Water System Improvements. Commissioner Atha made a motion to award the low bid from Northeastern Underground, Inc. for the Nicholasville Road project in the amount of \$638,3447.00 and award the low bid from Caldwell Tanks on the Between II Tank Project in the amount of \$973,900.00. He further moved to approve the necessary SPLOST budget amendment to cover the cost of the projects. Commissioner Dixon seconded the motion. All voted in favor.

Commissioner Ayers made a motion to approve a request from the Empty Stocking Fund

of Walton County for waiver of fees for use of the Nowell Recreation Center. Commissioner Gasaway seconded the motion; voted and carried unanimously.

Commissioner Atha made a motion to accept a Council of Juvenile Court Judges Purchase of Services Grant for the Juvenile Offenders Program. Commissioner Dixon seconded the motion. All voted in favor.

Commissioner Dixon made a motion to approve application for a VOCA Grant for the District Attorney's Office. Commissioner Atha seconded the motion. All voted in favor.

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

Commissioner Atha made a motion to accept the 2010 HEAT Grant for the Sheriff's Office. Commissioner Palmer seconded the motion; voted and carried unanimously.

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

Commissioner Bagley made a motion, seconded by Commissioner Gasaway, to ratify actions taken by the Walton County Water & Sewerage Authority at its meeting on September 29, 2009. All voted in favor.

Commissioner Atha made a motion, seconded by Commissioner Ayers, to approve a refund for The Orchard UMC for 2009 ad valorem taxes in the amount of \$54.74. All voted in favor.

Commissioner Atha made a motion to appoint Bill Phillips to the Walton County Planning Commission representing Commission District 5. Commissioner Palmer seconded the motion; voted and carried unanimously.

Walton County Chamber of Commerce President Teri Wommack presented renewal of the annual Chamber Contract for the Board's consideration. Ms. Wommack also requested the Board waive the fees at Meridian Community Center for an upcoming political candidate forum sponsored by the Chamber. Commissioner Ayers made a motion to amend the agenda to consider waiver of the fees. Commissioner Gasaway seconded the motion. All voted in favor. Commissioner Ayers made a motion to waive the fees for use of Meridian Community Center for the Chamber Forum. Commissioner Atha seconded the motion; voted and carried unanimously. County Attorney Kirby Atkinson recommended changes to the proposed Chamber contract. Commissioner Dixon made a motion to approve the contract subject to the changes recommended by the County Attorney. Commissioner Gasaway seconded the motion; voted and carried unanimously.

Fire Chief Mike Moore presented change orders from Rosenbauer Firefighting Technology for the purchase of a new fire truck. Commissioner Atha made a motion; seconded by Commissioner Palmer, to approve the change orders as presented. All voted in favor.

Commissioner Ayers made a motion, seconded by Commissioner Atha, to approve a proposal from Precision Planning, Inc. for professional architecture and engineering services for a Walton County Jail Expansion Study in the amount of \$9,500.00. All voted in favor.

Commissioner Atha made a motion to approve a Federal Equitable Sharing Agreement for the Sheriff's Office. Commissioner Dixon seconded the motion; voted and carried unanimously.

Commissioner Atha made a motion to approve a contract with Traylor Business Services, Inc. for a Business Personal Property Verification Program for the Tax Assessor's Office. Commissioner Dixon seconded the motion. All voted in favor.

Commissioner Palmer made a motion to approve a contract with Gerald Batchelor for surveying services on Locklin Cemetery Road. Commissioner Atha seconded the motion; voted and carried unanimously.

Commissioner Gasaway made a motion, seconded by Commissioner Ayers, to approve a Juvenile Court Purchases of Services Contract with Greg Bullock subject to changes recommended by the County Attorney. All voted in favor.

At 6:57 p.m., Commissioner Atha made a motion, seconded by Commissioner Dixon, to enter into executive session to discuss potential litigation. Commissioners Ayers, Bagley, Gasaway, Palmer, Atha & Dixon voted in favor of the motion.

At 7:30 p.m., Commissioner Bagley made a motion, seconded by Commissioner Dixon, to return to regular session. Commissioners Ayers, Bagley, Palmer, Atha & Dixon voted in favor of the motion. Chairman Little stated that no votes were taken while in executive session. Commissioner Gasaway exited the meeting during executive session.

Commissioner Palmer made a motion to authorize Chairman Little to open Locklin Cemetery Road on both ends to Turkey Creek. Commissioner Dixon seconded the motion; voted and carried unanimously.

At 7:31 p.m., Commissioner Atha 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.



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KEVIN W. LITTLE, CHAIRMAN

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LETA P. TALBIRD, CLERK

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CLINTON AYERS, DISTRICT 1

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CHUCK BAGLEY, DISTRICT 2

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VICKIE M. GASAWAY, DIST. 3

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LAMAR PALMER, DISTRICT 4

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GERALD ATHA, DISTRICT 5

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KIRKLYN DIXON, DISTRICT 6