

December 7, 2010

The Walton County Board of Commissioners held its regular monthly meeting on Tuesday, December 7, 2010 at 6:00 p.m. in the Commission 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, Associate County Attorney Chris Atkinson, 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 as presented. Commissioner Ayers seconded the motion. All voted in favor.

Commissioner Gasaway made a motion to accept the minutes of the November 2, 2010 meeting. Commissioner Palmer seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve Z10090002 – Rezone 8.14 acres from A and B-3 to M-1 with a conditional use permit for a Solid Waste Transfer Station for Buddy Johnson and Timmy Shelnett. The affected property is located on Georgia Highway 20 and is further identified on WC Tax Map C 7, Parcels 13 & 14 Split. Chairman Little opened the public hearing on the matter. Attorney Jeff Mahaffey, representing the applicants, came before the Board in support of the rezone. *(All documents of record submitted by the applicants and their attorneys, including an amendment to the zoning application, are on file in the addendum file under this meeting date.)* Jim Alexander, representing Rockdale County and the Rockdale County Water Authority, came before the Board in opposition to the rezone. *(All documents of record submitted by Rockdale County are on file in the addendum file under this meeting date.)* Attorney William Woods White, representing Ezra and Jacqueline Griffin, came before the Board in opposition to the rezone. *(All documents of record submitted by Mr. & Mrs. Griffin and their attorney are on file in the addendum file under this meeting date.)* Ken Archer, Norma Billingsley, Ezra Griffin and Jamie Gentry also spoke in opposition to the rezone. Chairman Little closed the public hearing on the matter. Associate County Attorney Chris Atkinson stated that although the Planning Commission acted on the rezone prior to the Development of Regional Impact Review findings, the D.R.I. was available for review prior to this meeting, so he felt comfortable that the Board could vote on the matter. Commissioner Bagley read aloud a list of known and unknown information regarding the proposed Solid Waste Transfer Station. Commissioner Bagley made a motion, based on the unanswered questions along with the D.R.I findings dated November 23, 2010, that the application for Rezone Z10090002 be denied. Commissioner Palmer seconded the motion; voted and carried unanimously.

At 6:32 p.m., Commissioner Ayers made a motion, seconded by Commissioner Bagley, to take a 10-minute break. All voted in favor.

Chairman Little called the meeting back to order at 6:40 p.m.

Chief Registrar Jimmy Payne came before the Board to explain why the results from the last election were reported so late. Mr. Payne submitted a report that included the total number of registered voters, total votes cast in the general election, total number of absentee ballots received, the time staff left the office on election night and other information for Walton, Clarke, Newton, Oconee and Rockdale Counties. He stated that the elections staff did not stop to post each precinct as they were tallied. He stated that Walton County finished within an hour of all surrounding counties, except Oconee County, which is smaller. He stated that the approximate cost to sequester employees to count absentee ballots during the day would be \$1,000.00, including security. Commissioner Palmer stated that he thought the extra expense would be worth it in order to get the results in earlier.

Finance Director Linda Hanna presented an FY 2011 budget amendment to reimburse the IT Department for the cost of new computers for the District Attorney's Office. Ms. Hanna stated that the District Attorney would reimburse the IT Department in the amount of \$2,780.00 from Federal Forfeited Funds. Commissioner Gasaway made a motion to approve the budget amendment as presented. Commissioner Dixon seconded the motion; voted and carried unanimously.

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

Commissioner Gasaway made a motion to approve EMS bad debt write-offs. Commissioner Bagley seconded the motion; voted and carried unanimously.

Andrew Tritt of Merchant Capital presented a proposal to refund the S1996 Water and Sewerage Revenue Bonds, GEFA Loan and Radio Loan. He explained that the refunding bonds would be secured by an intergovernmental contract between the Walton County Water & Sewerage Authority and Walton County. Mr. Tritt's presentation included information on the Municipal Bond Market, statistical information for current obligations, principal payment dates and estimated savings. Commissioner Ayers made a motion to approve the proposal. Commissioner Gasaway seconded the motion. All voted in favor.

Commissioner Dixon made a motion to declare 35 cell phones and 22 phone chargers as surplus to be donated to Triad for use by the elderly to call 911. Commissioner Gasaway seconded the motion; voted and carried unanimously.

Commissioner Ayers made a motion, seconded by Commissioner Gasaway, to approve

personnel actions for the period of 11/01/2010 through 11/30/2010, for the record. All voted in favor.

Commissioner Bagley made a motion to approve the following staffing requests: Jail Detention Officers (3), Jail Sergeant, Jail Corporal, Sheriff's Office Deputy Sheriff-Investigator – CID, Sheriff's Office Sergeant – CID, District Attorney's Office Investigator, Communications E 911 Departmental Administrative Assistant and EMS Paramedic. Commissioner Palmer seconded the motion; voted and carried unanimously.

Water Department Director Morris Jordan presented actions taken by the Walton County Water & Sewerage Authority at its meeting on November 30, 2010. Commissioner Atha made a motion, seconded by Commissioner Gasaway, to ratify actions taken by the Authority at its meeting on November 30, 2010. All voted in favor.

The Board considered an amendment to the Walton County Outdoor Water Use Ordinance. Chairman Little opened the public hearing on the matter. Morris Jordan reviewed the amendment with the Board. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Atha made a motion to adopt the amendment as presented. Commissioner Gasaway seconded the motion; voted and carried unanimously.

The Board considered a recommendation from Tax Commissioner Patricia Malcom to approve a refund for Enterprise Fleet Management in the amount of \$208.91 for tag and tax fees. Commissioner Ayers made a motion, seconded by Commissioner Atha, to approve the refund as recommended. All voted in favor.

Commissioner Gasaway made a motion, seconded by Commissioner Ayers to re-appoint the following citizens to the Walton County Personnel Advisory Board: Jacqueline McClendon, Neal Byrd and Mickey Lankford. All voted in favor.

Commissioner Gasaway made a motion to appoint Tim Baker, June Pringle, Lisa Whitehead and Brad Stewart to the Walton Grove Library Affiliate Board of Trustees. Commissioner Ayers seconded the motion; voted and carried unanimously.

Commissioner Ayers made a motion to appoint Rickey Dillard to the Walton County Board of Tax Assessors to complete a 6-year term expiring on December 31, 2011. Commissioner Ayers further moved that the appointment would become effective on December 11, 2010. Commissioner Palmer seconded the motion. All voted in favor.

Angie Browning of the Georgia Department of Labor Vocational Rehabilitation requested approval and waiver of fees for use of Felker Community Center. She stated that the Department of Labor's offices are small and that there is no funding available for facility rental. Commissioner Ayers stated that perhaps space that is currently unused at the Unlimited Services Facility would be better suited for this program. Commissioner Bagley suggested other options such as Blaine Street Elementary School, which will soon

be vacant or the Old Walker Park Elementary School. After further discussion, Commissioner Bagley made a motion, seconded by Commissioner Atha, to deny the request. All voted in favor.

The Board considered compensation for Tournament Directors Jody Johnson and Brad Huff. Commissioner Bagley made a motion that Walton County continue with the current operational structure of County operated tournaments through the 2013 season and that following the 2013 season, there will be a 3-year review analysis and renewal of tournament operational structure. He further moved that the following conditions will apply through the 2013 season: In regard to Parks and Recreation Directors spending county hours on tournament organization and using county vehicles during tournaments, require the tournament directors to hire an outside person at their expense to handle tournament coordinating during the work week and require that the tournament directors do not use their county vehicles during tournament play weekends. Commissioner Bagley further moved that the stipend pay structure will be a sliding scale format: First 60 teams per tournament - \$100.00 per team - \$50.00 each director, 61-100 teams per tournament - \$80.00 per team - \$40.00 per director, over 100 teams per tournament - \$60.00 per team - \$30.00 per director. Commissioner Bagley stated that this motion was taken directly from the Chamber of Commerce Committee recommendation that was presented at the November 2010 Board meeting. Commissioner Palmer seconded the motion. Commissioner Atha stated that he has had complaints from other County employees about this additional compensation and that it says to the employees that the tournament directors' jobs are more important than the other employees. After further discussion, Commissioners Bagley, Gasaway, Palmer and Chairman Little voted in favor of the motion. Commissioners Dixon and Atha opposed the motion with Commissioner Ayers abstaining. The motion carried 4-2.

Commissioner Bagley made a motion to stipulate that during tournament weekends Hammond and Coker Fields will be reserved for public play. He further moved to adopt a policy that 10 percent of all tournament net revenues will be used as an enhancement fund to include batting cages and enhanced public green picnic facilities for Hammond and Coker Fields. Commissioner Gasaway seconded the motion. Associate County Attorney Chris Atkinson stated that both Hammond and Coker Parks are leased to the County by the City of Monroe and that an intergovernmental agreement could be necessary in order for the County to make improvements at those parks. Commissioner Bagley amended his motion to include that the policy is subject to legal approval. Commissioner Gasaway seconded the amended motion. Commissioners Bagley, Gasaway and Palmer voted in favor of the motion. Commissioners Dixon, Atha and Ayers abstained. Chairman Little voted in favor of the motion. The motion carried.

Commissioner Ayers made a motion to approve a contract change order for Caldwell Tanks, Inc., reducing the contract amount by \$4,730.00 on the contract for the Between II Tank Water System Improvement Project. Commissioner Gasaway seconded the motion; voted and carried unanimously.

Commissioner Ayers made a motion, seconded by Commissioner Gasaway, to approve a Water Purchase Contract with Oconee County. All voted in favor.

Facilities Director Joyce Chambers presented an Intergovernmental Agreement with the State of Georgia Department of Driver Services for use of the County owned facility located at 1010 Heritage Parkway. Ms. Chambers stated that the County Attorney recommended certain changes in the contract language and that his comments will be addressed. Commissioner Ayers made a motion to approve the agreement subject to changes recommended by the County Attorney. Commissioner Atha seconded the motion; voted and carried unanimously.

Commissioner Palmer made a motion to approve a Maintenance Agreement with ESRI, Inc. for the Communications Department. Commissioner Bagley seconded the motion. All voted in favor.

Central Communications Director Wendra Williams updated the Board on the Oconee Area Radio System project.

At 7:40 p.m., Commissioner Ayers made a motion, seconded by Commissioner Gasaway, to enter into executive session to discuss real estate acquisition and potential litigation. Commissioners Ayers, Bagley, Gasaway, Palmer, Atha and Dixon voted in favor.

At 7:56 p.m., Commissioner Gasaway made a motion, seconded by Commissioner Ayers, to return to regular session. Commissioners Ayers, Bagley, Gasaway, Palmer, Atha and Dixon voted in favor. Chairman Little stated that no votes were taken while in executive session.

Commissioner Bagley made a motion to adopt a resolution and order consenting to the condemnation of the Sumerour property and to ratify the Walton County Water & Sewerage Authority's resolution regarding the same. Commissioner Ayers seconded the motion; voted and carried unanimously. (*This property is being acquired as part of the Hard Labor Creek Reservoir Project.*)

At 7:58 p.m., Commissioner Atha made a motion, seconded by Commissioner Palmer, 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