

January 10, 2012

The Walton County Board of Commissioners held its regular monthly meeting on Tuesday, January 10, 2012 at 6:00 p.m. in the Commission Board Room, Walton County Government Building, 303 South Hammond Drive, 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, Finance Director Linda Hanna, Human Resources Director Karen Fraser 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 recognized Paramedic Suzanne Ward and EMT Steve Nalbandian for their actions in treating Fire Chief Mike Moore, who had a heart attack on Thanksgiving Day.

Dr. Henry Wall, Myra Smith and Troy Preston of the Walton County Health Care Foundation presented the Board a grant award for the purchase of a new ambulance.

Chairman Little called the meeting to order at 6:09 p.m. and led those present in the Pledge of Allegiance. Commissioner Dixon opened the meeting in prayer.

Commissioner Ayers made a motion to adopt the agenda with the addition of a decision on the continuation of the hiring freeze implemented in July 2011. Commissioner Gasaway seconded the motion. All voted in favor.

The Board considered abandonment of streets located within the following undeveloped/incomplete subdivisions:

Chairman Little opened the public hearing on abandonment of Ashland Falls Drive located within Ashland Falls Subdivision. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Ayers made a motion, seconded by Commissioner Bagley, for the Board of Commissioners to certify that Ashland Falls Drive in the Ashland Falls Subdivision, as depicted on the plat of that subdivision, has ceased to be used by the public to the extent that no substantial public purpose is served by it and that its removal from the county road system is in the best public interest, and to declare said road to be abandoned by the County. All voted in favor.

Chairman Little opened the public hearing on abandonment of Palmer Drive

located within Palmer Place Subdivision. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Palmer made a motion, seconded by Commissioner Atha, for the Board of Commissioners to certify that Palmer Drive in the Palmer Place Subdivision, as depicted on the plat of that subdivision, has ceased to be used by the public to the extent that no substantial public purpose is served by it and that its removal from the county road system is in the best public interest, and to declare said road to be abandoned by the County. All voted in favor.

Chairman Little opened the public hearing on abandonment of streets located within Glen Cove Subdivision. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Atha made a motion, seconded by Commissioner Gasaway, for the Board of Commissioners to certify that Charmond Drive and Margaux Court in the Glen Cove Subdivision, as depicted on the plat of that subdivision, has ceased to be used by the public to the extent that no substantial public purpose is served by it and that its removal from the county road system is in the best public interest, and to declare said road to be abandoned by the County. All voted in favor.

Chairman Little opened the public hearing on abandonment of streets located within Haddonstone Subdivision. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Bagley made a motion, seconded by Commissioner Gasaway, for the Board of Commissioners to certify that Flagstone Lane and Flagstone Way in the Haddonstone Subdivision, as depicted on the plat of that subdivision, has ceased to be used by the public to the extent that no substantial public purpose is served by it and that its removal from the county road system is in the best public interest, and to declare said road to be abandoned by the County. All voted in favor.

Chairman Little opened the public hearing on abandonment of streets located within Sterling Oaks Phase 1 (aka The Preserve at Cedar Lake) Subdivision. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Bagley made a motion, seconded by Commissioner Dixon, for the Board of Commissioners to certify that Amberwood Drive, Brackenwood Road and Chestnut Oak Court in the Sterling Oaks Phase 1 (aka The Preserve at Cedar Lake) Subdivision, as depicted on the plat of that subdivision, has ceased to be used by the public to the extent that no substantial public purpose is served by it and that its removal from the county road system is in the best public interest, and to declare said road to be abandoned by the County. All voted in favor.

Chairman Little opened the public hearing on abandonment of streets located within The Falls at Rocky Branch Phase III Subdivision. There was no one

present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Bagley made a motion, seconded by Commissioner Gasaway, for the Board of Commissioners to certify that Thomas Drive and Chase Drive in the Falls at Rocky Branch Phase III Subdivision, as depicted on the plat of that subdivision, has ceased to be used by the public to the extent that no substantial public purpose is served by it and that its removal from the county road system is in the best public interest, and to declare said road to be abandoned by the County. All voted in favor.

Chairman Little opened the public hearing on abandonment of streets located within Spring Creek Subdivision. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Ayers made a motion, seconded by Commissioner Gasaway, for the Board of Commissioners to certify that Spring Creek Drive, Willowbend Place, Spring Creek Way and Whiporwill Cove in the Spring Creek Subdivision, as depicted on the plat of that subdivision, has ceased to be used by the public to the extent that no substantial public purpose is served by it and that its removal from the county road system is in the best public interest, and to declare said road to be abandoned by the County. All voted in favor.

Chairman Little opened the public hearing on abandonment of streets located within Ivey Brook Subdivision. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Atha made a motion, seconded by Commissioner Gasaway, for the Board of Commissioners to certify that Evan Brook Lane and Kendall Lane in the Ivey Brook Subdivision, as depicted on the plat of that subdivision, has ceased to be used by the public to the extent that no substantial public purpose is served by it and that its removal from the county road system is in the best public interest, and to declare said road to be abandoned by the County. All voted in favor.

Chairman Little opened the public hearing on abandonment of streets located within Grady Smith Estates Subdivision. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Ayers made a motion, seconded by Commissioner Gasaway, for the Board of Commissioners to certify that Bos Circle, Cedar Elm Circle, Sycamore Drive, Sycamore Lane, Autumn Olive Way and Amur Court in Grady Smith Estates Subdivision, as depicted on the plat of that subdivision, has ceased to be used by the public to the extent that no substantial public purpose is served by it and that its removal from the county road system is in the best public interest, and to declare said road to be abandoned by the County. All voted in favor.

Chairman Little opened the public hearing on abandonment of streets located within Cedar Oaks Subdivision Phase II. There was no one present in

opposition. Chairman Little closed the public hearing on the matter. Commissioner Gasaway made a motion, seconded by Commissioner Ayers, for the Board of Commissioners to certify that Cedar Oaks Lane and Cedar Oaks Court in Cedar Oaks Subdivision Phase II, as depicted on the plat of that subdivision, has ceased to be used by the public to the extent that no substantial public purpose is served by it and that its removal from the county road system is in the best public interest, and to declare said road to be abandoned by the County. All voted in favor.

Chairman Little opened the public hearing on abandonment of streets located within Creekside at Riverstone Subdivision. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Palmer made a motion, seconded by Commissioner Gasaway, for the Board of Commissioners to certify that Riverstone Drive and Riverstone Court in the Creekside at Riverstone Subdivision, as depicted on the plat of that subdivision, has ceased to be used by the public to the extent that no substantial public purpose is served by it and that its removal from the county road system is in the best public interest, and to declare said road to be abandoned by the County. All voted in favor.

The Board considered a Planning Commission recommendation to approve Z11110003 – Rezone 2.54 acres from R-1 to A-1 to allow horses on property for Evelyn VanOostrom. The affected property is located at 2419 Atkinson Road and is further identified on WC Tax Map CN49A, Parcel 3. Chairman Little opened the public hearing on the matter. Evelyn VanOostrom 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 Ayers made a motion to approve the rezone. Commissioner Gasaway seconded the motion; voted and carried unanimously.

Chairman Little stated that Dennis Dudley, the applicant for Z11110003 – Rezone 43.529 acres from A-1 to R-1 for a single-family residential subdivision, with conditions, requested the Board table a decision on the rezone until the February 7, 2012 meeting. Chairman Little asked those present if anyone wished to speak in opposition. He stated that normally proponents and opponents reserve comment until the Board considers the rezone. No one came forward to speak. Commissioner Palmer made a motion to table the rezone request until the February 7, 2012 meeting. Commissioner Dixon seconded the motion. All voted in favor.

Planning Director Mike Martin requested the Board table a decision on a Planning Commission recommendation to approve OA11110008 – Amendments to the Walton County Land Development Ordinance as per Errata Sheet dated 11/4/11 in order to complete further research on laws and regulations regarding Pain Management Clinics. Commissioner Ayers made

a motion, seconded by Commissioner Atha seconded the motion; voted and carried unanimously.

The Board recognized Jackson Chizek for being awarded first place in Walton County and placing in the Southeast Punt Pass & Kick Competition.

Commissioner Ayers made a motion to approve the following matters as presented on the Administrative Consent Agenda:

1. December 6, 2011 meeting minutes
2. FY 2011 Citizen Corps Grant Award
3. FY 2012 U.S. Department of Transportation – Hazardous Materials Preparedness Grant Award
4. Budget amendment – Animal Control – Acceptance of two donations - \$120.00
5. Budget amendment – FEMA/GEMA Grants - \$2,411.55
6. Budget amendment – FY 2012 Local Emergency Planning Committee - \$4,075
7. Contracts and budgeted purchases of \$2,500.00 or greater as presented
8. Fiscal Agent Designation – The Partnership for Families, Children & Youth
9. Monthly EMS bad debt write-offs
10. FY 2013 Budget Calendar
11. Declaration of surplus property (see auxiliary file for property list)

Commissioner Gasaway seconded the motion. Commissioners Ayers, Gasaway, Palmer, Atha and Dixon voted in favor of the motion. Commissioner Bagley opposed the motion. The motion carried 5-1.

Adam Fraley of Mauldin & Jenkins, Certified Public Accountants, LLC presented the FY 2011 Audit. Commissioner Gasaway made a motion, seconded by Commissioner Atha, to accept the Audit as presented. All voted in favor.

Commissioner Palmer made a motion to approve personnel actions for the period of 12-01-2011 through 12-21-2011 for the record. Commissioner Atha seconded the motion; voted and carried unanimously.

The Board considered recommendations by the budget Committee to approve staffing requests. Commissioner Dixon made a motion to approve staffing requests as follows:

1. Firefighter Driver Engineer – Fire Rescue. Recommended to fill the position with a TEMP to replace a full-time employee who resigned in

November 2011. To be advertised externally and internally. Salary is approved in the FY-2012 budget.

2. SAFER Grant TEMPS (2) – Fire Rescue. Replacements for temporary employees who resigned in November 2011. Required to maintain a certain number of temps to comply with the grant. Fire Chief will review previously submitted applications for SAFER grant employees. Salaries are approved in the FY-2012 budget.

3. Assistant Public Defender – Public Defender’s Office. Full-time replacement for an attorney who resigned effective 12-12-2011. To be advertised externally through the Public Defenders Council website. Salary is approved in the FY-2012 budget.

4. Detention Officers [2] – Jail – Full-time replacements for employees who resigned in November 2011. To be advertised externally and internally. Salaries are approved in the FY-2012 budget.

5. Deputy Sheriff Senior [2] – Uniform Patrol. Promotions. Full-time replacements for one employee being reassigned to the Jail, and one who retired 12/30/2011. To be advertised internally only. Salaries are approved in the FY-2012 budget, but no salary increase will be implemented until such time as the hiring freeze is lifted.

6. Corporal – Court Services. Promotion. Full-time replacement for an employee who was recently promoted and reassigned to Uniform Patrol. To be advertised internally only. Salary is approved in the FY-2012 budget, but no salary increase will be implemented until such time as the hiring freeze is lifted.

7. Investigator – CID. Full-time replacement for an employee who requested a voluntary demotion to Deputy Sheriff Sr. and assigned to Uniform Patrol. To be advertised internally only. Salary is approved in the FY-2012 budget, but no salary increase will be implemented until such time as the hiring freeze is lifted.

8. Paramedic –TEMP- EMS – Replacement for temp who will fill a full-time vacancy previously approved. To be advertised both externally and internally. Salary is approved in the FY-2012 budget.

9. EMT – TEMPS (2) – EMS – Recommended to fill with TEMPS for a vacancy that occurred when a temp employee sought transfer to full-time and one full-time employee who resigned. To be advertised externally and internally. Salaries are approved in the FY-2012 budget.

Commissioner Gasaway seconded the motion. All voted in favor.

Commissioner Bagley made a motion to continue the hiring and promotional freeze that was implemented in July 2011 for the remainder of FY 2012. Commissioner Dixon seconded the motion; voted and carried unanimously.

Commissioner Gasaway made a motion, seconded by Commissioner Bagley, to adopt a resolution setting the time, dates and place of the regular monthly

meetings of the Board of Commissioners for 2012. All voted in favor.

Commissioner Gasaway made a motion, seconded by Commissioner Ayers, to adopt a resolution reaffirming the \$1.50 911 charge on telephone subscribers for 2012. All voted in favor.

Commissioner Bagley made a motion, seconded by Commissioner Gasaway, to approve the continuation of the moratorium on the issuance of occupational tax certificates to Pain Management Clinics for an additional 60 days to provide Walton County sufficient time to analyze the impact of Pain Management Clinics and to consider whether further regulation of such Pain Management Clinics is necessary. All voted in favor.

Commissioner Gasaway made a motion to reappoint Leta Talbird as County Clerk for 2012. Commissioner Palmer seconded the motion. All voted in favor.

Commissioner Atha made a motion, seconded by Commissioner Gasaway, to reappoint Rhonda Hawk as Assistant County Clerk for 2012. All voted in favor.

Commissioner Palmer made a motion to reappoint Kirby Atkinson as County Attorney for 2012. Commissioner Gasaway seconded the motion; voted and carried unanimously.

Commissioner Ayers made a motion, seconded by Commissioner Dixon, to reappoint Commissioner Gerald Atha as Vice Chairman for 2012. All voted in favor.

Commissioner Gasaway made a motion to approve a refund for Robert D. Patterson in the amount of 337.95 for a vehicle tag billing error. Commissioner Palmer seconded the motion; voted and carried unanimously.

Commissioner Palmer made a motion to approve a contract with the City of Good Hope for grading and paving services on Old Good Hope Road subject to changes recommended by the County Attorney. Commissioner Dixon seconded the motion. All voted in favor.

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

The Board considered a Closing of Frequency Reconfiguration Agreement with Nextel. Attorney Chris Atkinson stated that the agreement is appropriate as to legal form but that he would like to discuss the technical

aspects of the agreement with the Communications Director. He requested the Board give the Chairman the authority to sign the agreement after the technical aspects of the agreement have been clarified. Commissioner Gasaway made a motion to approve the agreement and to give the Chairman the authority to sign the agreement subject to the technical aspects being clarified. Commissioner Atha seconded the motion. All voted in favor.

The Board discussed tournaments being held by the Parks & Recreation Department. No action was taken.

At 6:50 p.m., Commissioner Ayers made a motion, seconded by Commissioner Gasaway, 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