

December 3, 2013

The Walton County Board of Commissioners held its regular monthly meeting on Tuesday, December 3, 2013 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, Mark Banks, Timmy Shelnett, Lamar Palmer, Jeremy Adams and Kirklyn Dixon, County Clerk Leta Talbird, County Attorney Kirby Atkinson, Human Resources 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 recognized the Loganville Christian Academy ICSGA State Football Championship team.

The Board recognized the Walton County Human Resources Department staff for receiving the GLGPA Large Agency Award.

Chairman Little called the meeting to order at 6:15 p.m. and led those present in the Pledge of Allegiance. Commissioner Dixon gave the invocation.

Commissioner Ayers made a motion to adopt the agenda as presented. Commissioner Dixon seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to deny CU13100004 – Conditional Use for a Special Events Facility for Sam Scarborough. The affected property, owned by Charles & Juanita Swaney, is located at 4510 Lockland Road and is further identified on WC Tax Map C190, Parcel 11A. Chairman Little opened the public hearing on the matter. The applicant, Sam Scarborough, came before the Board in support of the rezone. He presented an aerial photo showing the location of the proposed facility and explained that adjacent properties range anywhere from 700 ft. up to 1,600 ft. away from the proposed facility. He stated that in addition to using the facility as a business for weddings and other events, he also plans to use the facility to raise money for the Scarborough & Friends Foundation, which raises money for families battling chronic, debilitating and terminal illnesses. Robbie Criss spoke in opposition with concerns about the proposed use of the property. He stated that there are a total of 10 tracts of land and 7 different property owners who will be affected by the conditional use. He stated that all those tracts of land are agricultural in nature and the purpose of the A-1 zoning district is to preserve the rural character of the area. Mr. Criss stated that there is no public water or sewer available. He stated that the area was not

designed to be used as a commercial corridor and the subject property is not designed to serve large commercial uses. Mr. Criss stated that the ingress and egress of the property is not sufficient with respect to the the property being served by emergency vehicles. He stated that the property is served by a one lane asphalt paved residential drive and if the applicant has large corporate or social gatherings, emergency vehicles cannot service the property. He stated that the use would adversely impact the adjoining properties with respect to noise. Vickie Gibson also spoke in opposition concerning the historical aspects of the surrounding area. A petition containing the names of citizens opposing the Conditional Use was submitted to the County Clerk for the record. After discussion, Chairman Little closed the public hearing on the matter. Commissioner Palmer made a motion to approve the Conditional Use with the following conditions: Limited to 3 activities per week. All outside activity will cease by 10:00 p.m. All inside activities will cease at 12:00 a.m. Any event for persons under 18 years of age will have chaperones. For every ten underage persons there will be one adult to take care of them. All vehicles will be parked on the property of the owner and will cause the property owners in the neighborhood no traffic hazards whatsoever and if so, they will be ticketed. Any events at which alcohol may be served will be supervised by a uniformed certified police officer paid by the applicant. Commissioner Adams seconded the motion. Commissioner Adams asked Mr. Scarborough if he wanted to proceed forward with the Conditional Use with the conditions that have been put in place. Mr. Scarborough affirmed that he did. After further discussion, Commissioner Palmer amended his motion to include that no motorcycle rallies or fraternity parties will be allowed. Commissioner Adams seconded the amended motion. All voted in favor.

The Board considered a Planning Commission recommendation to approve CU13100005 – Conditional Use for a Guest House for Larry Guest. The affected property is located at 2425 Georgia Highway 83 and is further identified on WC Tax Map C 180, Parcel 23B. Chairman Little opened the public hearing on the matter. Christie Guest came before the Board in support of the Conditional Use. She stated that the property has already been approved for an event facility and that the guest house would be used as part of the facility for the bride and groom or other guests to stay overnight. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Dixon made a motion to approve the Conditional Use with the condition that rental of the guest house will only be rented for overnight stays and not for an extended period of time. Commissioner Adams seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve Z13050007 – Rezone 4.62 acres from A-1 to B-3 to add storage

area for Southeastern Paving, Inc. The affected property is located at 6110 Georgia Highway 20 and is further identified on WC Tax Map C 9, Parcel 6 Split. Chairman Little opened the public hearing on the matter. Attorney Paul Rosenthal came before the Board in support of the rezone on behalf of the applicant. Herman McCart, representing the West Walton County Citizens Watch, presented a list of conditions that they want the Board to place on the rezone. (A list of the requested conditions is on file in the auxiliary file under this meeting date.) In rebuttal, Attorney Rosenthal stated that although the applicant's business will be in the Plaza, there will be other remaining tenants. He stated that when the applicant agrees to no storage on the property, it gets a little dicey because the owner is renting to existing businesses there. He stated that one of the concerns about this property is there was always junk in the front and that one way to clean it up is that some storage has to go to the back of the property to remove some of the eyesores. He stated the applicant has no problem on no sanitation trucks, no problem with complying with State, County or GDOT codes and no problem with no 18 wheeler long term storage. He added that the applicant will not block off the property on the rear. Planning Director Mike Martin stated that the applicant will have to provide civil drawings and meet all State and County storm water requirements. He stated that on every project on State Routes GDOT is notified and will review the plans. Chairman Little closed the public hearing on the matter. Commissioner Banks made a motion to approve the rezone subject to the following conditions: 1. The subject property shall be used for storage only by the person or entity operating the business at the subject property and such storage shall only be for the equipment or items necessary for such business or otherwise permitted. 2. The storage area will be surrounded by appropriate screening. 3. Request that the State DOT evaluate the site and meet state requirements. 4. In addition to screening required by the Walton County Development Ordinance, additional screening shall be installed off Georgia Highway 20 including the Leyland Cypresses that have already been discussed. 5. No 18 Wheelers shall be stored on the property other than what is necessary for the business as covered in Condition #1. 6. No sanitation, waste disposal or waste storage operation shall occur on the subject property. 7. No sanitation trucks shall be stored on subject property. 8. No fuel tank shall be kept on the property. 9. The owner shall comply with all storm water requirements applicable to the subject property. 10. The owner shall comply with all development guidelines as applicable to the subject property. Commissioner Ayers seconded the motion. All voted in favor.

Finance Director Linda Hanna presented a resolution authorizing execution of a lease purchase agreement with the Association County Commissioners of Georgia for the purchase of equipment for the Public Works Department. Ms. Hanna explained that the lease would cost approximately \$200,000.00 per year over 5 years. She further stated that

funds currently budgeted for new equipment for Public Works could then be transferred to Parks and Recreation and the Facilities Department to purchase needed equipment that was not included in those departments' current budget. Commissioner Banks made a motion to table a decision on the matter so that the Board can get more information on the equipment to be purchased. Commissioner Ayers seconded the motion. All voted in favor. Commissioner Dixon asked the three departments to provide lists of all of the requested equipment and the reason it is needed.

Commissioner Adams made a motion to approve the following items as presented on the Administrative Consent Agenda with the exception of the requested budget amendment for Parks & Recreation and the Facilities Department:

1. Approval of November 5, 2013 Meeting Minutes
2. Budget amendments as follows:
 - Water Department: Amendment to both revenue and expenditure budgets to record donation from Joe Mikel for service line extension from Shoal Creek Rd down Kirk Rd. in the amount of \$9,744.50. No effect on fund balance in the Water Fund 507.
 - Solid Waste: Amendment to transfer allocations from equipment to closure and post closure. No effect on fund balance in the Solid Waste Fund.
 - General Fund: Amend revenue budget for monies transferred into the General Fund from Special Revenue Funds to reimburse the General Fund for Expenditures.
 - Special Revenue Funds: To clean up Special Revenue Expenditure budgets for monies transferred to the General Fund to reimburse the General Funds for expenditures.
3. Contracts & Budgeted Purchases of \$2,500.00 or greater
4. Ratification of actions taken by the WCWSA at its meeting held on 11/26/13
5. Approval of Walton County Health Care Foundation Grant application - Parks & Recreation
6. Approval of 2014 Qualifying Fees
6. Hold Harmless & Marketing Agreement - Liberty Mutual Insurance Company
7. EMS Bad Debt Write-offs

Commissioner Dixon seconded the motion. All voted in favor.

Commissioner Adams made a motion to approve a refund in the amount of \$421.95 for Eric Shane Mull for title tax paid in error. Commissioner Dixon seconded the motion; voted and carried unanimously.

Commissioner Banks made a motion to appoint Wendell Geiger to the Walton County Planning Commission representing District 2. Commissioner Adams seconded the motion. All voted in favor.

Commissioner Banks extended gratitude to the Kurt Hanson family for his service to Walton County as Walton County Planning Commission District 2 representative.

Commissioner Ayers made a motion to appoint Ryan Smith as an alternate member of the Hard Labor Creek Reservoir Management Board. Commissioner Palmer seconded the motion; voted and carried unanimously.

Commissioner Adams made a motion to move forward with correction of the sidewalk and tree issues at The Providence Club Subdivision as presented in the proposed plan of action. He stated that the plan includes removal of approximately 175 trees and is to be completed within the 2014 calendar year. Commissioner Palmer seconded the motion. He further stated that project cost will be less because the county will handle the repairs rather than using the bids received from private companies. After further discussion, Commissioners Ayers, Shelnut, Palmer, Adams and Dixon voted in favor of the motion with Commissioner Banks abstaining. The motion carried. (A copy of the plan of action is on file in the auxiliary file under this meeting date.)

Anthony Baldoni came before the Board seeking approval to build a Skate Park at South Walton Park. Commissioner Shelnut made a motion to approve the Skate Park. Commissioner Palmer seconded the motion. All voted in favor.

At 7:15 p.m., Commissioner Palmer made a motion, seconded by Commissioner Adams, to enter into executive session to discuss potential litigation. Commissioners Ayers, Banks, Shelnut, Palmer, Adams and Dixon voted in favor.

At 7:55 p.m., Commissioner Ayers made a motion, seconded by Commissioner Banks, to return to regular session. Commissioners Ayers, Banks, Shelnut, Palmer, Adams and Dixon voted in favor.

Commissioner Dixon made a motion to adopt a resolution consenting to the condemnation of 2.841 acres for a stream buffer from the Warren property further identified on WC Tax Map C 168, Parcel 11. Commissioner Adams seconded the motion. All voted in favor.

Commissioner Ayers made a motion, seconded by Commissioner Adams, to adopt a resolution consenting to the condemnation of the Butler property further identified on WC Tax Map C 170, Parcel 47. All voted in favor.

At 7:51 p.m., Commissioner Adams 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

MARK BANKS, DISTRICT 2

TIMMY SHELNUTT, DIST. 3

LAMAR PALMER, DISTRICT 4

JEREMY ADAMS, DISTRICT 5

KIRKLYN DIXON, DISTRICT 6