

Board of Commissioners' Meeting
Carroll County, Georgia
February 1, 2011
MINUTES

Regular Commission Meeting The Board of Commissioners met in regular session on Tuesday, February 1, 2011, at 6:00 p.m. in the Commission Chambers of the David Perry County Administration Building, 423 College Street, Carrollton, Georgia.

The meeting was called to order by Chairman Bill Chappell.

Invocation The invocation was offered by Commissioner Trent North.

Pledge of Allegiance The Pledge of Allegiance was led by Commissioner Vicki Anderson.

Roll Call Roll was called by the County Clerk.

There were present:
Chairman Bill Chappell
Commissioner Trent North
Commissioner Vicki J. Anderson
Commissioner Ashley Hendrix
Commissioner John Wilson
Commissioner Kevin Jackson
Commissioner George A. Chambers

There were absent:
None

Minutes **The minutes of the January 4, 2011 meeting were *adopted*, as previously circulated, on a motion by Commissioner Jackson and seconded by Commissioner Hendrix.**

Public Comments There were no public comments.

Financial Session County Comptroller Don Johnson presented the financial recap of County funds as of December 31, 2010 reporting a total cash reserve of \$17,726,766 with revenues to date totaling \$30,004,888 (63.5%), and expenditures to date totaling \$22,435,585 (47.5%), and a fund balance of \$9,497,274.

Budget Amendment Consideration of the proposed budget amendment was *postponed* for re-advertisement.

LWCF
Grant for
Moore's
Bridge
Park

On a motion by Commissioner Hendrix and seconded by Commissioner Jackson, the Commission voted 7-0 to *approve* a Resolution and Agreement with the Georgia Department of Natural Resources for a Land and Water Conservation Fund (LWCF Grant Number 13-00920) grant for the development of the Moore's Bridge Project in the amount of \$100,000 (total project cost: \$200,000).

Property
Purchase -
Dyer Road
Convenience
Center

On a motion by Commissioner Anderson and seconded by Commissioner Wilson, the Commission voted 7-0 to *approve* a Resolution authorizing the purchase of .91 acres of property adjacent to the Dyer Road Convenience Center for the purpose of expanding and reorganizing the Convenience Center (Property owned by Fred B. Bullard, Jr./purchase price \$45,000).

Health
Department
Independent
District

Consideration of the proposed resolution requesting that the County Health Department be removed from District Four and assigned to its own independent district was *postponed* on a motion by Commissioner Anderson and seconded by Commissioner Hendrix. (VOTE 5-1 with Wilson opposed and North abstained)

Public
Hearing

Chairman Chappell called for public comments on the proposed Resolution Abandoning a portion of Old Harper Road. There were no public comments

Abandonment -
Old Harper
Road

On a motion by Commissioner Hendrix and seconded by Commissioner Anderson, the Commission voted 6-0 (Wilson abstained) to *approve* a Resolution Finding That a Portion of Old Harper Road in Land Lot 5 of the 4th Land District has Ceased to be Used by the Public to the Extent that no Substantial Public Purposes are Served; Authorizing the Abandonment Thereof; Authorizing the Chairman to Dispose of the Abandoned Property; To Provide an Effective Date of This Resolution; and for Other Purposes.

Appointment -
Region One
MHDDAD
Board

On a motion by Commissioner Anderson and seconded by Commissioner North, the Commission voted 7-0 to *appoint* Dr. Julia S. Chibbaro to the Region One Mental Health, Developmental Disabilities, and Addictive Diseases Planning Board (MHDDAD) for a term beginning immediately and ending June 30, 2012.

NSP3
City of
Carrollton

On a motion by Commissioner North and seconded by Chairman Chappell, the Commission voted 5-2 (Anderson & Jackson opposed) to *approve* a Resolution Authorizing the City of Carrollton to receive 2011 Federal Neighborhood Stabilization Program 3 (NSP3) Funds on behalf of Carroll County and to submit an Amended Annual Action Plan to the US Department of Housing and Urban Development (HUD).

Zoning
Session

Before beginning the Zoning Session, Chairman Chappell stated the policies and procedures governing the conduct of zoning hearings. The applicant(s) or proponent(s) of the zoning application shall be allowed ten (10) minutes to present data, evidence, and opinion. Those opposed to the zoning application shall be allowed ten (10) minutes to present data, evidence, and opinion. Both sides shall be allowed five (5) minutes for rebuttal.

Rezoning -
Sandhill
Hickory Level
Road,
Carrollton

The Commission considered John W. & Joann E. Morgan's request to amend the Zoning Ordinance and Map for a 3.04+/- acre tract, located at 411 Sandhill Hickory Level Road, Carrollton and lying in Land Lot 007 of the 6th Land District (also known as Carroll County Tax Map #152, Parcel #0163) as shown on the Re-Zoning Application from Agricultural {A} zoning to Commercial {C} zoning. Joe Fowler, attorney for the applicants, spoke in favor of the rezoning. S. A. Lovvorn and William Curtis Hester spoke in opposition to the rezoning. Respective rebuttals were presented by Mr. Fowler, Mr. Lovvorn, and Mr. Hester.

On a motion by Chairman Chappell and seconded by Commissioner Wilson, the Commission voted 4-3 (Anderson, Hendrix & Jackson opposed) to approve the request to rezone that tract of property known as being a 3.04+/- acre tract, owned by John W. & Joann E. Morgan, located at 411 Sandhill Hickory Level Road, Carrollton, and lying in Land Lot 007 of the 6th Land District of Carroll County, Georgia (and also known as Tax Map #152, Parcel #0163 as shown on the Re-Zoning Application) from Agricultural {A} zoning to Commercial {C} zoning as shown in the application with the exclusion of the following commercial permitted uses as sited in Section 8.9 (Commercial), 1. (Permitted Uses) of the Carroll County Zoning Ordinance: b. Indoor amusement enterprises, including theatre, bowling alleys and skating rinks; e. Motels and hotels; f. Automobile and manufactured home sales; k. Publicly owned and operated building and lands; l. Public utility structures and land; and m. Commercial cemeteries.

Conditional
Use Permit -
Tyus-Carrollton
Road,
Carrollton

On a motion by Commissioner Wilson and seconded by Commissioner Chambers, the Commission voted 7-0 to approve the request of Don & Kathy Smith for a Conditional Use Permit (application # C-11-01-01) for a variance on lot size, and to divide one acre with an existing house, located at 475 Tyus-Carrollton Road, Carrollton, on property owned by the Estate of Jean B. Harman, Kathy Smith executrix, and lying in Land Lot 070 of the 10th Land District (also known as Carroll County Tax Map #077, Parcel #0293 as shown on Conditional Use Permit Application #C-11-01-01).

Conditional
Use Permit -
Hwy 113 N.,
Carrollton

On a motion by Commissioner Hendrix and seconded by Commissioners Anderson and Jackson, the Commission voted 4-3 to deny the request of Chondra M. Thornton for a Conditional Use Permit (application # C-11-01-02) to operate a retail and rental center, located at 1734 Highway 113 N., Carrollton, on property owned by Chondra M. Thornton, and lying in Land Lot 240 of the 5th Land District (also known as Carroll County Tax Map #106, Parcel #0192 as shown on Conditional Use Permit Application #C-11-01-02).

Conditional
Use Permit -
Linda
Lane,
Carrollton

On a motion by Commissioner Hendrix and seconded by Commissioner Wilson, the Commission voted 7-0 to approve the request of Harris T. Johnson, III and Constance Johnson for a Conditional Use Permit (application # C-11-01-03) to add a second detached home, located at 200 Linda Lane, Carrollton, on property owned by Harris T. Johnson, III and Constance Johnson, and lying in Land Lot 194 of the 10th Land District (also known as Carroll County Tax Map #089, Parcel #0100 as shown on Conditional Use Permit Application #C-11-01-03).

Rezoning -
Hwy 78 E.,
Temple

The Commission considered Frankie L Hudgins request to amend the Zoning Ordinance and Map (application # Z-11-01-01) for a 3.16+/- acre tract, located at 1025 Highway 78 E., Temple and lying in Land Lot 169 of the 6th Land District (also known as Carroll County Tax Map #123, Parcel #0133 as shown on the Re-Zoning Application) from Agricultural {A} zoning to Commercial{C} zoning. Frankie Hudgins, applicant, spoke in favor of the rezoning. There was no one present to speak in opposition to the rezoning.

On a motion by Commissioner Hendrix and seconded by Commissioner Anderson, the Commission voted 7-0 to *approve the request to rezone that tract of property known as being a 3.16+/- acre tract, owned by Frankie L. Hudgins, located at 1025 Highway 78 E., Temple, and lying in Land Lot 169 of the 6th Land District of Carroll County, Georgia (and also known as Carroll County Tax Map #123, Parcel #0133 as shown on Carroll County Re-Zoning Application #Z-11-01-01) from Agricultural {A} zoning to Commercial {C} zoning as shown in the application.*

Executive
Session

On a motion by Commissioner Hendrix and seconded by Commissioner Anderson, the Commission voted 7-0 to enter into Executive Session at 7:50 p.m. for the purpose of discussing pending & potential litigation and real estate matters (*Affidavit attached as part of these minutes*). The Commission reconvened to Regular Session at 8:22 p.m. on a motion by Commissioner Anderson and seconded by Commissioner Jackson.

Adjournment

There being no further business to come before the Commission, the same was adjourned at 8:23 p.m. on a motion by Commissioner Anderson and seconded by Commissioner Hendrix.

ATTEST:

Susan A. Mabry, County Clerk

Bill Chappell, Chairman

These minute were approved by the Carroll County Board of Commissioners on March 1, 2011.