

Board of Commissioners' Meeting
Carroll County, Georgia
December 1, 2009

MINUTES

Regular
Commission
Meeting

The Board of Commissioners met in regular session on Tuesday, December 1, 2009, at 5:00 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 George Chambers.

Pledge of
Allegiance

The Pledge of Allegiance was led by Commissioner Kevin Jackson.

Roll Call

Roll was called by the County Clerk.

There were present:

Chairman Bill Chappell
Commissioner Trent T. North (arrived at 5:15 during the Executive Session)
Commissioner Vicki J. Anderson
Commissioner Ashley Hendrix
Commissioner John M. Wilson
Commissioner Kevin Jackson
Commissioner George A. Chambers

There were absent:

None

Executive
Session

On a motion by Commissioner Hendrix and seconded by Commissioner Anderson, the Commission voted 6-0 (North absent) to enter into Executive Session at 5:03 p.m. for the purpose of discussing real estate matters (*Affidavit attached as part of these minutes*). The Commission reconvened to Regular Session at 6:04 p.m. on a motion by Commissioner Jackson and seconded by Commissioner Chambers (VOTE 7-0).

Minutes

The minutes of the October 6, 20 & 23, and November 17, 2009 meetings were *adopted*, as previously circulated, on a motion by Commissioner Jackson and seconded by Commissioner Chambers.

Public
Comments

Public comments were made by: Joyce & Jim Dugan, Earl Phillips, Tina Buechner, and Bill Williamson. Comments were tendered on the following subjects: trash and signage along Frashier Road, conversion of switchgrass into biofuel, animal control, funding for spay/neuter clinic, and thank you for consideration of local contractors for construction of new Justice Center.

Financial
Session

County Comptroller Don Johnson presented the financial recap of County funds as of September 30, 2009 reporting a total cash reserve of \$1,775,210 with revenues to date totaling \$3,858,397 (8.0%), and expenditures to date totaling \$10,811,956 (22.8%), and a fund balance of \$8,254,901.

County Comptroller Don Johnson presented the financial recap of County funds as of October 31, 2009 reporting a total cash reserve of \$4,884,173 with revenues to date totaling \$11,073,888 (23.4%), and expenditures to date totaling \$14,458,291 (30.5%), and a fund balance of \$8,254,901.

Agreement
City of
Carrollton
Park/Plaza

On a motion by Commissioner Jackson and seconded by Commissioner Wilson, the Commission voted 7-0 to *table* consideration of a proposed agreement with the City of Carrollton for the Development of a Park/Plaza adjacent to the New Courthouse Parking Deck until after the Executive Session to be held later in the meeting.

Courthouse
Temporary
Relocation
Sites

On a motion by Commissioner Jackson and seconded by Commissioner Wilson, the Commission voted 7-0 to *withdraw* consideration of temporary relocation sites for courts and Courthouse employees during construction of the new Justice Center.

Budget
Amendment
Health
Department

On a motion by Commissioner North and seconded by Commissioner Hendrix, the Commission voted 6-1 (Jackson opposed) to *approve* the advertisement of a \$40,000 budget amendment transferring funds from Contingency to the Carroll County Health Department for the proposed expansion of Carroll County's Indoor Air Quality and Vector Control Programs.

Bids -
Maintenance
Department
Compact Track

On a motion by Commissioner Hendrix and seconded by Commissioner North, the Commission voted 7-0 to *approve* Perimeter Bobcats' bid of \$37,028.91 for RFP 10-A010 for a 2009 T250 Bobcat for the Carroll County Maintenance Department. (2008 SPLOST Funds)

Bids -
Metro
Ethernet
Services

On a motion by Commissioner North and seconded by Commissioner Wilson, the Commission voted 7-0 to *approve* Communication Services Integrated Inc.'s bid of \$18,600 (annual cost) for RFP 10-A011 for 10 MB Metro Ethernet Services.

Bids -
Fire
Department
Pumper/Tanker
Trucks

Commissioner Hendrix made a motion to table the consideration of proposed bids for RFP 10-A012 for two pumper/tanker trucks for Carroll County Fire and Rescue. The motion, seconded by Commissioner Anderson failed by a vote of 3-4 (Chappell, North, Wilson & Jackson opposed).

On a motion by Commissioner Jackson and seconded by Commissioner Wilson, the Commission voted 5-2 (Anderson & Hendrix opposed) to *approve* Ten-8 Fire and Safety Equipment of Georgia, LLC's bid of \$549,000 for three (3) Pierce Tankers mounted on 2009 International Chassis (\$183,000 each). (2008 SPLOST Funds)

West
Georgia
Ambulance
Contract

On a motion by Commissioner Wilson and seconded by Commissioner Hendrix, the Commission voted 7-0 to *approve* an Addendum to the Emergency Medical Services Agreement between Carroll County and West Georgia Ambulance extending the January 2005 Agreement with the same terms and conditions until March 15, 2010.

Transit
Drug and
Alcohol
Policy

On a motion by Commissioner Wilson and seconded by Commissioner Hendrix, the Commission voted 5-2 (Anderson & Jackson opposed) to *approve and adopt* a Drug and Alcohol Testing Policy for Carroll County Transit.

Appointment -
Elections &
Registration

On a motion by Commissioner Hendrix and seconded by Commissioner Chambers, the Commission voted 7-0 to reappoint Catherine Brock to the Carroll County Board of Elections and Registration.

Appointment -
Tax
Assessor

On a motion by Commissioner Hendrix and seconded by Commissioner Jackson, the Commission voted 7-0 to reappoint Ed Federer to the Carroll County Board of Tax Assessors.

Appointments -
Recreation
Advisory
Council

On a motion by Commissioner Wilson and seconded by Commissioner Hendrix, the Commission voted 7-0 to appoint Craig Dodson (District 4) to the Carroll County Recreation Advisory Council.

On a motion by Commissioner Chambers and seconded by Commissioner North, the Commission voted 7-0 to reappoint Robert L. Thomas (District 6) to the Carroll County Recreation Advisory Council.

On a motion by Chairman Chappell and seconded by Commissioner North, the Commission voted 7-0 to reappoint Mike Huckeba (At-Large) to the Carroll County Recreation Advisory Council.

Appointments -
Water
Authority

On a motion by Commissioner Anderson and seconded by Commissioner Jackson, the Commission voted 7-0 to reappoint Trey Wylie (District 2) to the Carroll County Water Authority.

On a motion by Commissioner Hendrix and seconded by Commissioner North, the Commission voted 7-0 to reappoint Bobby Holcombe (District 3) to the Carroll County Water Authority.

On a motion by Commissioner Wilson and seconded by Commissioner Jackson, the Commission voted 7-0 to reappoint Jerry Shadinger (District 4) to the Carroll County Water Authority.

Appointments -
Development
Authority

On a motion by Commissioner Anderson and seconded by Chairman Chappell, the Commission voted 7-0 to reappoint Anneliesa Finch (District 2) to the Development Authority of Carroll County.

On a motion by Commissioner Wilson and seconded by Commissioner North, the Commission voted 7-0 to reappoint Jim Blevins (District 3) to the Development Authority of Carroll County.

On a motion by Commissioner Chambers and seconded by Commissioner Jackson, the Commission voted 7-0 to reappoint Bill Copeland (District 6) to the Development Authority of Carroll County.

On a motion by Chairman Chappell and seconded by Commissioner Anderson, the Commission voted 7-0 to reappoint Tim Warren (At-Large) to the Development Authority of Carroll County.

Appointment -
Joint
Development
Authority

On a motion by Chairman Chappell and seconded by Commissioner North, the Commission voted 7-0 to reappoint Lucy Beck to the Joint Development Authority of Carroll, Douglas, Haralson, Heard, Paulding, Polk and Troup Counties.

Appointment -
Land Use
Enforcement

On a motion by Commissioner North and seconded by Commissioner Wilson, the Commission voted 7-0 to reappoint Bryan Hager, Bruce Lyon and Neville Brewer (Alternate) to the Carroll County Land Use Enforcement Board.

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.

Conditional
Use Permit -
Piney Grove
Road,
Carrollton

On a motion by Commissioner Jackson and seconded by Chairman Chappell, the Commission voted 6-0 (Wilson abstained) to approve the request of Robert and Wanda M. Reese for a Conditional Use Permit (application # C-09-09-01) to make permanent a previous medical hardship CUP for two separate lots, on property owned by Robert and Wanda M. Reese, located at 400 Piney Grove Road, Carrollton, GA, and lying in Land Lot 060 of the 10th Land District (also known as Carroll County Tax Map #078, Parcel #0419 as shown on Conditional Use Permit Application #C-09-09-01).

Conditional
Use Permit -
Marvin Gray
Road,
Carrollton

On a motion by Commissioner Chambers and seconded by Commissioner Wilson, the Commission voted 7-0 to approve the request of Mary Denney for a Conditional Use Permit (application # C-09-11-01) to split parcel into a 1+/- acre tract with existing home, a 2+/- acre tract with existing home, and a 11.85+/- acre tract with existing home, on property owned by Clara Ragland, located at 187 Marvin Gray Road, Carrollton, GA, lying in Land Lot 136 of the 10th Land District (also known as Tax Map #075, Parcel #0192) *as shown in the application.*

Conditional
Use Permit -
Highway 100 N.,
Bowdon

On a motion by Commissioner Chambers and seconded by Commissioner Wilson, the Commission voted 7-0 to approve the request of Rodney and Kerri Palmer for a Conditional Use Permit (application # C-09-11-02) to build an apartment for mother and grandfather on a 5+/- acre tract with existing mobile home, on property owned by Rodney and Kerri Palmer, located at 561 Highway 100 North, Bowdon, GA, and lying in Land Lot 116 of the 9th Land District (also known as Carroll County Tax Map #029, Parcel #0389 as shown on Conditional Use Permit Application #C-09-11-02).

Rezoning -
W. Wayside
Road,
Carrollton

The Commission considered Willis and Betty Robinson's request to amend the Zoning Ordinance and Map (application # Z-09-11-01) for a 43.7 +/- acre tract, located at 960 W. Wayside Road, Carrollton and lying in Land Lot 106 of the 5th Land District (also known as Carroll County Tax Map #156, Parcel #0030 as shown on Re-Zoning Application (#Z-09-11-01) from Residential-30 {R-30 (3/4 acre residential)} zoning to Agricultural {A} zoning. Willis Robinson, applicant spoke in favor of the rezoning. There was no one present to speak in opposition to the rezoning.

On a motion by Commissioner Jackson and seconded by Commissioner Chambers, the Commission voted 7-0 to approve the request to rezone that tract of property known as being a 43.7+/- acre tract, owned by Willis and Betty Robinson, located at 960 W. Wayside Road, Carrollton, and lying in Land Lot 106 of the 5th Land District of Carroll County, Georgia (and also known as Carroll County Tax Map #156, Parcel #0030 as shown on Carroll County Re-Zoning Application # Z-09-11-01) from Residential-30 {R-30 (3/4 acre residential)} zoning to Agricultural {A} zoning as shown in the application.

Rezoning -
Highway 166 &
North Hulett
Road,
Carrollton

The Commission considered 4 Meter Timber & Land Company/Lance Bryant's request to amend the Zoning Ordinance and Map (application # Z-09-11-02) for a 24.03+/- acre tract (total 42.38+/- acres), located at Highway 166 and North Hulett Road, Carrollton and lying in Land Lot 021 of the 5th Land District (also known as Carroll County Tax Map #174, Parcel #0188 as shown on Re-Zoning Application (#Z-09-11-02) from Residential-30 {R-30 (3/4 acre residential)} zoning to Commercial {C} zoning. Steven Hughes and Lance Bryant, applicants, 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 Chairman Chappell, the Commission voted 5-2 (Anderson & Jackson opposed) to approve the request to rezone that tract of property known as being a 24.03+/- acre tract, owned by 4 Meter Timber & Land Company/Lance Bryant, located at Highway 166 and North Hulett Road, Carrollton, and lying in Land Lot 021 of the 5th Land District of Carroll County, Georgia (and also known as Carroll County Tax Map #174, Parcel #0188 as shown on Carroll County Re-Zoning Application # Z-09-11-02) from Residential-30 {R-30 (3/4 acre residential)} zoning to Commercial {C} zoning as shown in the application.

Conditional
Use Permit -
Water Spaniel
Lane,
Carrollton

On a motion by Commissioner Wilson and seconded by Commissioner North, the Commission voted 7-0 to approve the request of James K. Johnson for a Conditional Use Permit (application # C-09-11-03) to place a manufactured home at 242 Water Spaniel Lane, Carrollton, on property owned by James K. Johnson, and lying in Land Lot 041 of the 4th Land District (also known as Carroll County Tax Map #162, Parcel #0074 as shown on Conditional Use Permit Application #C-09-11-03).

Executive
Session

On a motion by Commissioner Wilson and seconded by Commissioner Anderson, the Commission voted 7-0 to enter into Executive Session at 7:40 p.m. for the purpose of discussing real estate matters and potential litigation (*Affidavit attached as part of these minutes*). The Commission reconvened to Regular Session at 8:41 p.m. on a motion by Commissioner Anderson and seconded by Commissioner Wilson (VOTE 6-0) (Hendrix left the meeting at 8:40).

Amend
Agenda

On a motion by Commissioner North and seconded by Commissioner Wilson, the Commission voted 4-2 (Anderson & Jackson opposed, Hendrix absent) to add item #8b (Consideration of a proposed Agreement with the City of Carrollton for the Development of a Park/Plaza adjacent to the New Courthouse Parking Deck) back to the Agenda.

Resolution -
City of
Carrollton
Park Property

On a motion by Commissioner North and seconded by Commissioner Wilson, the Commission voted 4-2 (Anderson & Jackson opposed, Hendrix absent) to *approve* a Resolution to authorize payment to the City of Carrollton \$250,000 toward the cost of a park including structural work adjacent to the new Tanner Street parking deck; to authorize the Chairman of the Board of Commissioner to convey to the City of Carrollton the property upon which the parking deck and park will be located.

Adjournment

There being no further business to come before the Commission, the same was adjourned at 8:43 p.m. on a motion by Commissioner North and seconded by Commissioner Wilson.

ATTEST:

Susan A. Mabry, County Clerk

Bill Chappell, Chairman

These minutes were approved by the Carroll County Board of Commissioners on January 5, 2010.