

**GORDON COUNTY BOARD OF COMMISSIONERS
WORK SESSION MINUTES
MAY 19, 2015**

The Gordon County Board of Commissioners held a Work Session Tuesday, May 19, 2015 at 5:15 p.m. in the main courtroom of the Gordon County Courthouse.

MEMBERS PRESENT

**BECKY HOOD, CHAIRMAN
CHAD STEWARD, VICE CHAIRMAN
NORRIS SEXTON, COMMISSIONER
JEFF GAZAWAY, COMMISSIONER
KEVIN CUNNINGHAM, COMMISSIONER**

OTHERS PRESENT

**JOHN KING, COUNTY ADMINISTRATOR
JIM LEDBETTER, COUNTY ATTORNEY
ANNETTE BERRY, COUNTY CLERK
MEDIA
APPROXIMATELY 80 GUESTS**

Chairman Hood called the meeting to order.

The Board discussed each item on the agenda for the Regular Meeting and made no changes; one item was added to the agenda later in the meeting. County Attorney Ledbetter advised that he had spoken with the attorney for one of the rezoning applicants on the Regular Meeting agenda. The Board had tabled the rezoning of Mr. Tina Nguyen and requested a site plan at the last meeting. The site plan was only delivered a few minutes before this meeting started and Attorney Ledbetter advised that the Board would need time to look at it and advised that the Board would remove this rezoning from tonight's Regular Meeting agenda and add it to the next meeting.

The Board discussed the appointments that needed to be considered for three positions that have expired terms on the Gordon/Floyd Development Authority. There was a consensus of the Board to add this item to the agenda for the Regular Meeting.

Mr. Mark Owens came before the Board to voice his concerns regarding the construction of poultry houses tending to de-value property values. He would like to see information that actually proves that this happens when poultry houses are introduced into the vicinity. There was also some complaint at the public hearing last week about large poultry trucks damaging roads. Mr. Owens commented that during the grow-out cycle there would only be about one truck per day coming to a poultry operation.

Mr. Jacob Williams came before the Board to comment about the poultry business. He said he installs equipment in poultry houses and feels that the poultry agriculture business is important to the economy in Gordon County. Agriculture has been a prime mainstay in this county for decades. He suggests that the setback for the property line should be 200 ft would be a good recommendation and that the setback for residences should stay the same - 500 ft. Also he would like the Board to consider a setback rule that would not allow someone else to build a residence within 500 ft. of a poultry house. He would prefer not to have a vegetative buffer implemented. It would be hard to regulate and to take care of.

Mr. Jack Killian, the architect for the George Chambers project, came before the Board to give an update on the project.

Mr. Dan Huser, Project Manager with Limestone Valley RC&D Council and Mr. Doug Cabe with NRCS came before the Board to update the Board on projects that the Limestone Valley RCD are currently working on that are funded through State and federal grants to mitigate poultry litter contamination issues.

The Board asked Ms. Garah Childers, Gordon County Human Resources Director, to come and speak to the Board about offering the County employees long-term disability insurance at no cost to the employees. There was a consensus of the Board to proceed with offering this benefit to employees.

Commissioner Sexton made a motion to close the Work Session. Commissioner Cunningham seconded the motion and all voted aye. There being no further business the Work Session adjourned at 6:00 p.m.

Annette Berry, County Clerk

Becky Hood, Chairman

**GORDON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
MAY 19, 2015**

The Gordon County Board of Commissioners held their Regular Meeting on Tuesday, May 19, 2015, at 6:00 p.m. in the main courtroom of the Gordon County courthouse.

MEMBERS PRESENT

**BECKY HOOD, CHAIRMAN
CHAD STEWARD, VICE CHAIRMAN
KEVIN CUNNINGHAM, COMMISSIONER
NORRIS SEXTON, COMMISSIONER
JEFF GAZAWAY, COMMISSIONER**

OTHERS PRESENT

**JOHN KING, COUNTY ADMINISTRATOR
JIM LEDBETTER, COUNTY ATTORNEY
ANNETTE BERRY, COUNTY CLERK
MEDIA
APPROXIMATELY 80 GUESTS**

Chairman Hood called the meeting to order.

INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation was led by Rev. John Allen. The pledge of allegiance was led by Chairman Hood.

APPROVAL OF MINUTES

Chairman Hood asked if there are any additions, omissions, or deletions to the Minutes for the Work Session May 5, 2015, the Regular Meeting May 5, 2015, and the Special Meeting May 11, 2015. Commissioner Cunningham made a motion to approve the minutes. Commissioner Gazaway seconded the motion and Commissioners Cunningham, Sexton, Steward, and Gazaway voted aye. Minutes approved.

ADMINISTRATOR'S REPORT

County Administrator King read the report into the record (copy attached). Administrator King announced that the Board of Commissioners will hold a public hearing on the proposed budget on June 2, 2015.

COMMISSIONERS' REPORT

Commissioner Sexton reported that he had attended the Public Hearing held by the Board concerning poultry houses and he attended the Public Works Committee meeting. Commissioner Steward reported he attended the Finance Committee meeting.

PUBLIC HEARING FOR ZONING

Commissioner Sexton made a motion to open the public hearing for zoning. Commissioner Gazaway seconded the motion and all voted aye.

County Attorney Ledbetter advised the audience of the rules of the public hearing.

APPLICATION #Z15-04, REBA PAYNE'S REQUEST TO REZONE FROM A-1 TO R-5

County Attorney Ledbetter read application #Z15-04, Reba Payne's' application to rezone from A-1 to R-5. This comes to the Board of Commissioners from the Planning Commission with their recommendations for denial. Ms. Jennifer Kenner spoke for the applicant in support of the development. She works in the senior citizen health care field and felt it is a good and needed development. Mr. Eddie Liebershaw, representing the Greenberry Village, the development

company spoke to the Board and explained their development plans for residents 55 years old or older. Mr. Add Layson spoke to the Board and said he is opposed to the development because Amakanata is a single family community and this will not fit in. Mr. Lane Warrant commented that property values will go down and it is an inappropriate zoning. Mr. Charles Dillard was concerned with the water pressure, lane width, absentee ownership and management. Mr. Bert Vaughn was opposed due to safety reasons with the exits, the infrastructure, and a narrow road. Ms Tina Turner said it was not in keeping with the integrity of the neighborhood. Mr. Gene Edwards comments were that the entrance and exit would be in a curve and also was concerned about property values going down. Ms. Sara Burnley was concerned with property values and how will the development be kept up and maintained in the future. Mr. Russ Gilbert was concerned with a two-year construction time and dust and dirt problems. Mr. Randy Balliew commented about safety problems with the traffic already heavy in the area. Ms. Tammy Balliew is opposed due to traffic and safety. Mr. Flipper McDaniel's comments were about traffic and safety, no site plan and no traffic study being done and if the zoning is approved and not actually developed, then anyone can pick up the property and develop it due to it being R-5 zoning already. Mr. David Maddox was concerned with safety and he just doesn't want to look at apartments every morning, property values, and it is a single home community. Mr. Eddie Liebershaw came back before the Board and said there would be no children in the complex except some maybe being raised by their grandparents, the design is slated to be constructed in one year, not two, a buffer is already there and adequate.

Commissioner Sexton asked the County Attorney to read some wording from the ordinance regarding single family residences, multi-family residences, recreation uses, and civil and institutional designations. Attorney Ledbetter read the ordinance pertaining to these issues.

County Attorney Ledbetter addressed one of the comments that were made in the public hearing regarding the Planning Commission not making findings. Attorney Ledbetter made public for the record, the findings of the Planning Commission were that the following have been considered and findings and recommendations of the planning staff: (1) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property. Findings were "The proposed zoning is not suitable in view of the use and development of adjacent and nearby property. It is mostly rural single-family homes on that specific road. (2) Whether the proposed zoning will adversely affect the existing use of usability of adjacent nearby property." Findings were "The proposed zoning will affect nearby properties due to an anticipated increase in vehicular traffic." (3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned. Findings were "The property exceeds the minimum lot size requirements for A-1 zoning and has the potential to be developed accordingly." (4) Whether the proposed zoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. Findings were "The proposed zoning will generate additional vehicular traffic and may impede traffic flow." (5) Whether the zoning proposal is in conformity with the policy and intent of the Future Development Map and Comprehensive Plan. Findings were "The property is classified as emerging suburban on the Gordon County Future Development Map. This classification supports land uses intended for single-family residential, passive and active recreation and civil/institutional. The zoning is inconsistent with the Future Development Map." (6) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approved or disapproved of the zoning proposal. Findings were "Primary issues are the introduction of a zoning classification that is

inconsistent with the development pattern on the Future Development Map and to preserve open space preservation.” Planning Staff’s Recommendation: The rezoning request identified as Application Z15-04 be denied.

County Attorney Ledbetter advised that this concludes the public comments and the Board has the request to rezone from A-1 to R-5 before them and the minutes of the Planning Commission. Now is the time for the Board to consider whether to accept or reject the findings of the Planning Commission and their denial of this application.

Chairman Hood called for a motion for Reba Payne’s application to rezone from A-1 to R-5.

Commissioner Sexton made a motion to change the zoning from A-1 to R-5. Chairman Hood asked for a seconded to the motion. No motion was made and Chairman Hood advised that there was no second and motion fails.

Commissioner Gazaway made a motion to approve the recommendation for denial of the zoning from A-1 to R-5 from the Planning Commission. Commissioner Cunningham seconded the motion and Commissioners Gazaway, Cunningham, and Steward voted aye. Commissioner Sexton opposed the motion. Motion passed. Rezoning was denied.

Chairman Hood asked for a motion to close the public hearing. Commissioner Cunningham made a motion to close the public hearing. Commissioner Sexton seconded the motion and Commissioners Cunningham, Sexton, Gazaway, and Steward voted aye. Public hearing closed.

CONSIDERATION OF UNFINISHED BUSINESS

None

CONSIDERATION OF NEW BUSINESS

PRESENTATION OF THE PROPOSED 2015/2016 ANNUAL BUDGET

County Administrator King presented the proposed budget to the Board members and commented that this is the proposed budget and is the collective input of the Board of Commissioners, constitutional officers, and department heads and staff. This proposed budget has no new full-time employees and only part-time employees if deemed critical; no cost of living adjustments for county employees; a 2.5% increase in the county’s health insurance coverage cost; no millage rate increase; some replacement vehicles due to high mileage and inoperability. The total for all funds budget is \$48,877,016 which is overall a .87% increase. The recommended general fund budget is \$33,816,479 which is a 2.177% increase.

APPROVAL OF THE 2015/2016 PROPOSED ROAD PAVING LIST

County Administrator King advised that this item is the proposed 2015/2016 road paving list. The Board is required to approve the list before the list can be submitted to the State to receive

the LMIG funds that are required to begin the paving. Staff recommends that the list be approved for submittal.

Commissioner Sexton made a motion to approve the road paving list. Commissioner Gazaway seconded the motion and Commissioners Cunningham, Gazaway, Steward, and Sexton voted aye. Motion passed.

APPOINTMENT TO THE GORDON/FLOYD JOINT DEVELOPMENT AUTHORITY FOR A POSITION WITH A TERM ENDING 12/31/17 AND THE RE-APPOINTMENT FOR BECKY HOOD AND DONNA MCENTYRE FOR THEIR TERMS ENDING 12/31/17

County Administrator King advised that this was discussed by the Board at the Work Session and is an appointment to the Gordon/Floyd Joint Development Authority for Bud Owens for a term ending 12/31/17 and the re-appointment of Becky Hood and Donna McEntyre for terms ending 12/31/17.

Commissioner Cunningham made a motion to approve the appointments to the Gordon/Floyd Development Authority. Commissioner Sexton seconded the motion and Commissioners Cunningham, Sexton, Steward, and Gazaway voted aye. Motion passed.

ADJOURNMENT

Commissioner Sexton made a motion to adjourn the meeting. Commissioner Gazaway seconded the motion and all voted aye. There being no further business, the meeting was adjourned at 7:00 p.m.

Annette Berry, County Clerk

Becky Hood, Chairman