

**GORDON COUNTY BOARD OF COMMISSIONERS
WORK SESSION MINUTES
FEBRUARY 7, 2017**

The Gordon County Board of Commissioners held a Work Session Tuesday, February 7, 2017 at 5:00 p.m. in the conference room of the Administration Building.

MEMBERS PRESENT

**BECKY HOOD, COMMISSIONER
CHAD STEWARD, COMMISSIONER
NORRIS SEXTON, COMMISSIONER
KEVIN CUNNINGHAM, COMMISSIONER
M. L. BUD OWENS, COMMISSIONER**

OTHERS PRESENT

**JOHN KING, COUNTY ADMINISTRATOR
JIM LEDBETTER, COUNTY ATTORNEY
ANNETTE BERRY, COUNTY CLERK
25 GUESTS**

Chairman Hood called the meeting to order.

The Board discussed each item on the agenda for the Regular Meeting and made no changes; two items were added to the Regular Meeting agenda later in the meeting.

Mr. Don Holley, Parks and Recreation Director, came before the Board to request applying for the annual United Way grant for registration fees for underprivileged children who want to play sports. There was a consensus of the Board to add this item to the Regular Meeting agenda for Board consideration.

Mr. Haley Stephens, with Hand Up Housing, Inc., came before the Board to give a presentation for a tiny homes project he is trying to get built in Gordon County. Mr. Haley stated that Gordon County ranks 93rd in the state, poverty-wise. He went before the City of Calhoun in August, 2016 in his effort to focus on affordable housing for veterans and seniors. Two-thirds of tiny home buyers are first time home buyers or seniors. Tiny homes get us away from a trend in America that 'bigger is better'. His group needs the Commissioners to recognize that 93rd in the state is not good enough and his plan is one that the Board of Commissioners should support in principle and make tiny homes officially legal in Gordon County, with safeguards, in the next four to six months. Mr. Stephens wants the county to provide landscaping and grounds maintenance for his project. With Mr. Stephens was Mr. Dennis Powers who spoke to the Board about being a veteran and not wanting a handout, but a hand up. He said he has an old home and the power bill is his biggest problem. Veterans need people in Gordon County fighting for them. He asked the Board to find a way to make this tiny homes project work for them.

Mr. Kenny Padgett, with Friends of Resaca, came before the Board regarding the Resaca sewer project that will require Gordon County to allow a section of the Ft. Wayne Historic Site to be used for this project. Mr. Padgett advised that his group has donated a total of \$6,400 to Gordon County for the purchase and site preservation of the Ft. Wayne property. Gordon County did not pay any money to obtain the property. This \$6,400 amount includes the environmental study that was conducted on the site. The Friends of Resaca are not opposed to the Resaca sewer project, but are opposed to the route for the project. The Friends of Resaca nor the Historic Preservation Commission were never contacted about this project. His group hopes that the Board of Commissioners will deny this project route on this historic property that they helped save for future generations. They are depending on members of the Board to protect their investment on this property. Attorney Ledbetter asked about alternate routes and Mr. Padgett said they had contacted Mr. Peoples the project engineer and was told there are no alternate routes, that this is a done deal. Attorney Ledbetter advised that the state agencies have approved this project, but that the HPC has concerns and Attorney Ledbetter then read the HPC's recommendations. The HPC supports sewer for the City of Resaca but cannot recommend by majority vote that the proposed route be allowed on these historic and protected grounds. Recommends that the City of Resaca consider another route other than the historic site. That the proposed route be realigned, if permitted, along the County owned property borders within site, and that the manholes be at ground level or below, any and all construction equipment and vehicles not be permitted to use the paved parking, entrance, trial system and parking areas. Also, if permitted, any and all

construction not to affect two water branches that lead to Oostanaula River. Access across those branches would need to use proper tiles and left available for future walking/vehicle paths, the river access erosion barriers be placed in all affected construction access areas and the City of Resaca and/or contractors be responsible for total and complete restoration of all areas affected by this project, including the destruction of trees. Attorney Ledbetter also read the HPC's numerous concerns regarding the project. Commissioner Steward commented that the Board will have to have this Mr. Peoples come and present alternate routes to let us know what their plan is and what information we need in order to make an informed decision.

Mr. Doug Jones came before the Board to voice his concerns with the number of mega chicken houses that have been built in Sugar Valley and that he is representing citizens in his area. Mr. Jones said he lives in Russell Hill Estates and there is a saturation of chicken houses in his area, not houses of 10, 12, or 15 thousands birds, but super houses of 50 thousand birds. There are 12 houses now and there is a guy that is building 8 more super houses on the same street. The guy has just bought the property next to that one and he is going to put 8 or 10 more. That's 30 houses in a half mile square area, that's 1,500,000 birds. These properties are in the middle of a neighborhood with homes, schools and churches and Resaca Battlefield. There are too many chicken houses in this area; something must be done about the size of these houses. This is our homes, our property values, where we try to go out on our back porch and cook out. There is mud up and down the roads and it is destroying an historical section of our county. Yes, there are lower income people who live there, there is no reason to treat them like crap and put this crap in their backyard. We deserve to be respected just like Soda Creek or downtown Calhoun. We are talking about housing and property values, about people moving into Gordon County and signs inviting people into our county for historical visiting, shopping at our mall, etc. This isn't a Sugar Valley problem; this is a Gordon County problem. Nobody is going to stop here because the chicken smell is all over this county. I don't see how it's not ok for a sewer project through a swamp, but it's ok to drop 1,500,000 chickens in the middle of a neighborhood.

Mr. Kevin Smith, owner of Little Creek Rentals, came before the Board requesting a temporary permit and hookups to park six recreational vehicles on a piece of property, smaller than the county code allows, at Redbud Road and Newtown Church Road. He stated that he is doing this for some of the men working on the gas pipeline being laid from Calhoun to Dalton Utilities. There is about 650 men and women here in Gordon County working on this pipeline. County Attorney Ledbetter showed the Board a map and informed them the property is about an acre and the problem is that in order to have an RV Park it is supposed to be zoned CH. In order to have parking for RV's, there are a lot of rules, such as you have to have 20 acres, 300 ft. setback from the highway, occupants cannot stay for more than 90 days. If the county applies all these rules it would apply to all the RV's Mr. Smith has been talking about. It is important to be consistent in following these rules, the Board may make special exceptions when the requests come from our Planning Commission and our Departmental Reviews. Mr. Smith wants an answer right away and that answer has been a flat "no". It just doesn't meet the requirements. I have been talking with Mr. Smith and the only way to put RV's there is if the Board grants a special use permit. Attorney Ledbetter advised that he is not giving a legal recommendation of this, but if the County had a special use permit that expired by its terms in six months, unless needed longer, and if RV's are there a day longer than the permitted time, the County would assess a \$50 per RV per day charge, unless, in writing this Board approves something different; and if the County has to take Mr. Smith to court to get the RV's moved after the nine months, Mr. Smith would reimburse the County a reasonable rate of attorney's fees into the General Fund of the County and pay court costs. Attorney Ledbetter advised Mr. Smith that he has tried to structure a recommendation that satisfies everything you have asked for, if that's what you want then the inducement to move out after six months shouldn't be a problem. Mr. Smith agreed to this. There was a consensus to add this item to the Regular Meeting Agenda for Board consideration.

Commissioner Cunningham made a motion to adjourn the Work Session. Commissioner Owens seconded the motion and all voted aye.

There being no further business, the Work Session adjourned at 5:55 p.m.

Becky Hood, Chairman

Annette Berry, County Clerk

**GORDON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
FEBRUARY 7, 2017**

The Gordon County Board of Commissioners held their Regular Meeting on Tuesday, February 7, 2017, at 6:00 p.m. in the conference room of the Administration Building.

MEMBERS PRESENT

**BECKY HOOD, CHAIRMAN
CHAD STEWARD, VICE CHAIRMAN
KEVIN CUNNINGHAM, COMMISSIONER
NORRIS SEXTON, COMMISSIONER
M. L. BUD OWENS, COMMISSIONER**

OTHERS PRESENT

**JOHN KING, COUNTY ADMINISTRATOR
JIM LEDBETTER, COUNTY ATTORNEY
ANNETTE BERRY, COUNTY CLERK
APPROXIMATELY 18 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.

EMPLOYEE RECOGNITION - Employees with Anniversary Hire Dates in February

Commissioner Steward read the names of the employees with anniversary hire dates in February. Commissioner Owens drew the name of Terri Bowen with the Clerk of Court's office as Employee of the Month.

APPROVAL OF MINUTES

Chairman Hood asked if there are any additions, omissions, or deletions to the Minutes for the Work Session January 24, 2017, and the Regular Meeting January 24, 2017. Commissioner Cunningham made a motion to approve the minutes. Commissioner Owens seconded the motion and Commissioners Cunningham, Sexton, Owens and Steward voted aye. Motion approved.

ADMINISTRATOR'S REPORT

County Administrator King read the report (copy attached).

COMMISSIONERS' REPORT

Commissioner Owens reported that he attended the Region One Emergency Services Council meeting, spoke to the Boy Scout Troup 22 about what it means to be a County Commissioner, and attended the Board of Commissioner's Retreat. Commissioner Owens also commented that he was very glad to see the people here at the meeting tonight; there are some good projects and valid concerns being discussed. Commissioner Steward reported that he attended and enjoyed the Commissioner's Retreat where they got to discuss SPLOST projects; also he attended the College and Career Academy.

PUBLIC HEARING FOR ZONING

Commissioner Cunningham made a motion to open the public hearing for zoning. Commissioner Owens seconded the motion and Commissioners Cunningham, Owens, Sexton, and Steward voted aye.

APPLICATION #Z16-26 STANLEY SIMPSON'S REQUEST TO REZONE FROM A-1 TO CH

County Attorney Ledbetter read application #Z16-26 Stanley Simpson's request to rezone from A-1 to CH, and incorporates the entirety of the information sheets and the requests and findings of the Planning Commission. The Board reviewed this application at the previous Board's meeting where it was tabled until tonight. Mr. Simpson is in attendance but has not signed up to speak, if anyone has any questions. Commissioner Cunningham asked if the driveway on this property meet or exceeded the State requirements. Mr. Simpson answered that it did that this had come up in the past meeting and he contacted the State and spoke with several departments there and was told the State had no problem with it. He also asked the state about the other driveway about keeping it open and was told there was no problem if it was at least 24 ft. wide, he stated that it was 30 ft. wide. Commissioner Sexton asked Mr. Simpson if he could guarantee that he would not allow a used car lot to become a junk yard. Mr. Simpson said that he has someone interested in buying the property for a car lot and use the house as an office and have another office to rent, if he could get the rezoning approve. He could not make a guarantee about what the buyer would do, but he would advise the buyer that the Board had made the request that it not be allowed to become a junk yard.

Commissioner Cunningham made a motion to approve the rezoning request. Commissioner Owens seconded the motion and Commissioners Sexton, Owens, Cunningham, and Steward voted aye. Motion passed.

Commissioner Sexton made a motion to close the public hearing. Commissioner Steward seconded the motion and Commissioners Cunningham, Sexton, Steward, and Owens voted aye.

CONSIDERATION OF UNFINISHED BUSINESS

None

CONSIDERATION OF NEW BUSINESS

DELL EQUIPMENT LEASE WITH OPTION TO PURCHASE

Chairman Hood advised that this is the Dell Equipment Lease with option to purchase.

Commissioner Cunningham made a motion to approve the Dell Equipment lease with option to purchase. Commissioner Sexton seconded the motion and Commissioners Steward, Cunningham, Owens and Sexton voted aye. Motion passed.

RESOLUTION REGARDING RECOGNITION OF EMPLOYER/EMPLOYEE RELATIONSHIP FOR THE LIBRARY

Chairman Hood advised that this is a resolution regarding recognition of employer/employee relationship for the Library. This is moving employee positions from the City of Calhoun to

positions at the Regional Library.

Commissioner Sexton made a motion to approve the Resolution for the Library employees. Commissioner Owens seconded the motion and Commissioners Cunningham, Owens, Sexton, and Steward voted aye. Motion passed.

REQUEST FROM THE TOWN OF RESACA FOR SEWER LINE EASEMENT ALONG THE WEST BOUNDARY OF FT. WAYNE

Chairman Hood advised that this is a request from the Town of Resaca for a sewer line easement along the west boundary of Ft. Wayne.

Commissioner Steward made a motion to table. Commissioner Cunningham seconded the motion and Commissioners Owens, Steward, Sexton, and Cunningham voted aye. Motion passed.

REQUEST FROM THE SHERIFF'S DEPARTMENT FOR DECLARATION OF SURPLUS PROPERTY FOR TWO VEHICLES – 2001 CHEVY TAHOE VIN36016 AND 2004 ACURA TL VIN07453

Chairman Hood advised that this is a request from the Sheriff's Department for a Declaration of Surplus Property for two vehicles a 2001 Chevy Tahoe VIN36016 and a 2004 Acura TL VIN07453.

Commissioner Cunningham made a motion to approve the Sheriff's request to declare two vehicles surplus property. Commissioner Steward seconded the motion and Commissioners Cunningham, Steward, Owens, and Sexton voted aye. Motion passed.

REQUEST FROM RESACA CHURCH OF GOD TO HOLD THEIR EASTER SUNRISE SERVICE AT THE RESACA BATTLEFIELD

Attorney Ledbetter advised that this is a request from the Resaca Church of God to hold their Easter Sunrise Service at the Resaca Battlefield. They are asking for the park to open at 6:30 am. The gate would normally open that morning at 8:00 am. This is the first special use request outside of our normal hours, so far since the park opened. The Historic Preservation Commission has looked at this from the perspective of our historic asset; this would not have a negative impact on our historic asset. This comes to the Board of Commissioners from the Gordon County Historic Preservation Commission with their recommendations that the Board of Commissioners grant this request to include the logistics of the gate opening be handled under the direction of Don Holley, Gordon County Director of Parks & Recreation. County Administrator King advised that he likes the way the Historic Preservation Commission is working regarding these requests, we knew that there would be requests to use the park so we came upon a process whereby the Historic Preservation Commission would make recommendations to the Board of Commissioners. This is the first time we have had an opportunity to see this process in action.

Commissioner Steward made a motion to approve the request. Commissioner Cunningham seconded the motion. Commissioner Owens asked to amend the motion to approve the

recommendation from the Historic Preservation Commission to allow the Resaca Church of God to hold their Easter Sunrise Service at the Resaca Battlefield. Commissioner Steward seconded the motion and Commissioners Owens, Steward, Cunningham, and Sexton voted aye. Motion passed.

REQUEST FROM THE PARKS & RECREATION DEPARTMENT TO SUBMIT A UNITED WAY GRANT

Chairman Hood advised that this is a request from the Parks & Recreation Department to submit a United Way Grant for 2017.

Commissioner Owens made a motion to approve the request to submit a United Way Grant. Commissioner Sexton seconded the motion and Commissioners Owens, Sexton, Steward, and Cunningham voted aye. Motion passed.

SPECIAL USE PERMIT FOR KEVIN SMITH TO PLACE SIX RECREATIONAL VEHICLES ON PROPERTY AT REDBUD ROAD AND NEW TOWN CHURCH ROAD AT LITTLE CREEK RENTALS, LLC FOR NINE MONTHS

County Attorney Ledbetter advised that the motion for the Special Use Permit should be for approval or disapproval for Kevin Smith's request for a Special Use Permit. Gordon County currently has a temporary housing crisis with over 650 transit employees working on the natural gas pipeline project. This would be satisfying some of their needs for temporary housing in recreational vehicles. There is a legitimate public need to provide temporary, clean, and safe housing to these workers, some of which are travelling from Tennessee and other places. The location on Kevin Smith's property at Little Creek Rentals, LLC has been identified as being served by public sewer and water and would otherwise be safe. This property does not meet the requirements for a permanent recreational vehicle park, nor does he want to establish one. We have a citizen's request for a special conditional use permit by Little Creek Rentals, LLC to place up to six recreational vehicles for a period not to exceed nine months. Because this is a special use permit, it would expire in nine months. If the property is not vacated within the nine months from February 7, 2017 to November 6, 2017, then the County would charge a penalty of \$50 per day for each unit that remains in non-compliance, as well as assess reasonable attorney's fees and expense of litigation.

Commissioner Steward made a motion to approve the special use permit for Little Creek Rentals, LLC as read by the County Attorney. Commissioner Sexton seconded the motion and Commissioners Steward, Sexton, Owens, and Cunningham voted aye. Motion passed.

ADJOURNMENT

Commissioner Sexton made a motion to adjourn the meeting. Commissioner Steward seconded the motion and all voted aye. There being no further business, the meeting was adjourned at 6:40 p.m.