

**HEARD COUNTY BOARD OF COMMISSIONERS MEETING  
AUGUST 27, 2019 - 6:30 P.M.**

The Heard County Board of Commissioners held a Commissioners Meeting on August 27, 2019 at 6:30 p.m. in the Commission Chamber of the Heard County Administration Building. In attendance at the meeting were Chairman Lee Boone, District 1 Commissioner Larry Hooks, District 2 Commissioner Keri Denney, District 3 Commissioner Gwen Caldwell, District 4 Commissioner Larry Hammond, District 5 Commissioner David Walls and County Attorney Jerry Ann Conner.

**Agenda Item # 2 - Welcome, Invocation, and Pledge to the American Flag** - Chairman Boone called the meeting to order, welcomed everyone present and gave the invocation.

**Agenda Item # 3 – Public Hearings – a) Application to Rezone from Residential to Commercial, Gayle J. Dorsey/492 Pea Ridge Road LandTrust, Location – 492 Pea Ridge Road, Franklin** - Chairman Boone opened the public hearing and read a request to rezone 5 acres of land from residential to commercial for the purpose of selling used auto parts online, out of the commercial building located on property at 492 Pea Ridge Road, Franklin. He also read the public hearing rules and regulations. The applicant nor a representative of the applicant were in attendance. The following citizens spoke in opposition to this request:

Mr. Fred Thomas, 990 Pea Ridge Road, Franklin

Mr. Joe Manders, 50 Hickey Road, Franklin

Mr. Robert Newman, 1109 Pea Ridge Road, Franklin

There being no further public comments and no comments from the Board, on motion (Denney) and second (Hammond), the Board unanimously voted to close the public hearing.

**2) Application to Rezone from Rural Development to Residential, Rodney East, Location – 18601 U.S. Hwy. 27, Franklin** – Chairman Boone opened the public hearing and read the request from Mr. Rodney East to rezone 3.38 acres of land located at 18601 U.S. Hwy. 27, Franklin, from rural development to residential for the purpose of splitting land and adding another dwelling. Mr. East stated that he is requesting to be rezoned from rural development to residential to add another house to this property. He would like to split the property into two parcels and would like to have a separate driveway for each. He stated he is willing to do whatever the DOT requires him to do as far as the driveways go since this is a State highway. There being no public comments and no questions or comments from the Board, on motion (Hooks) and second (Caldwell), the Board unanimously voted to close the public hearing.

**3) Application to Rezone from Residential to Commercial, Pamela S. Thomaston/Circle T Ranch and Rentals, LLC, Location – 15631 Georgia Hwy. 100, Franklin, GA** - Chairman Boone opened the public hearing and read the request from Circle T. Ranch & Rentals, LLC to rezone 1.14 acres of land located at 15631 Georgia Hwy. 100, Franklin, from residential to commercial to utilize the commercial building on this property. Mr. Jerry Thomaston, one of the owners of Circle T, stated he would like to have the zoning changed on this property because he thought the property was already zoned commercial since the building located on the property had been utilized as a commercial building for many years by Mr. J.B. Wright. Commissioner Caldwell asked Mr. Thomaston what was his intent for the use of the building. Mr. Thomaston stated that he would like to rent it out or possibly use it as a storage facility in the future. There being no public comments and no further questions or comments from the Board, on motion (Caldwell) and second (Denney), the Board unanimously voted to close the public hearing.

**Agenda Item # 4 – Approval of Minutes** – On motion (Hooks) and second (Hammond), the Board unanimously voted to approve the minutes from July 23, 2019.

**Agenda Item # 5 – Amend Agenda** – None.

**Agenda Item # 6 – Old Business – a. Discuss Communication Tower, Norma Golden, 6943**

**Georgia Highway 34, Franklin** – Chairman Boone stated that in the February 26, 2019 meeting this tower was discussed and it was decided the Attorney Conner would send a letter to SBA to encourage them to find a vendor for service for this tower and that the Board would discuss this issue again in six months. Attorney Conner deferred to Heard County Development Authority Director, Kathy Knowles. Ms. Knowles stated that another cell service provider is looking into possibly using this tower and she asked the Board to revisit this in 90 days. On motion (Walls) and second (Hammond), the Board unanimously voted to review this issue again in six months.

**b. Discuss Medical Hardship, Mike & Tina Green, 915 Pea Ridge Road, Franklin** - Chairman Boone stated that in the July 24, 2018 meeting this medical hardship was approved for a non-conforming singlewide mobile home to be located on Tina Green's property at 915 Pea Ridge Road, for Mike Green's elderly mother. Per Zoning Administrator, Stacie Morris, this medical hardship expired on July 24, 2019 and Tina Green has provided a letter to the Board stating that she wishes for the mobile home to be removed since she and Mike Green are getting a divorce. She is asking the Board to revoke the hardship so the mobile home can be removed (see documentation attached provided by Tina Green). Commissioner Denney stated after reading the statement provided by Tina, she's not sure Tina is prepared to pay to remove this mobile home since she and Mike are getting a divorce. Commissioner Hammond stated that he spoke to Tina and this is a bad situation, especially for Mike's elderly mother. Commissioner Hammond stated that he did a check on the elderly Mrs. Green and she does not have a caregiver living with her and she seemed to be very coherent and aware

of her surroundings and in his opinion, the hardship doesn't exist. Commissioner Denney stated that if the hardship doesn't exist any longer, the Board has no choice but to rescind it and Tina would need to see that the home is removed. On motion (Hammond) and second (Walls), the Board unanimously voted to rescind this medical hardship and enforce that the home is removed within 6 months of today as stated by the Heard County ordinances.

**Agenda Item # 7 – New Business – a. Discussion/Decision – Application to Rezone from Residential to Commercial, Gayle J. Dorsey/492 Pea Ridge Road LandTrust** - On motion (Hammond) and second (Denney), the Board unanimously denied this request.

**b. Discussion/Decision – Application to Rezone from Rural Development to Residential, Rodney East** – On motion (Denney) and second (Hooks), the Board unanimously approved this request.

**c. Discussion/Decision – Application to Rezone from Residential to Commercial, Pamela S. Thomaston/Circle T Ranch and Rentals** - On motion (Caldwell) and second (Denney), the Board unanimously approved this request.

**d. Approve Millage Rate for Fiscal Year 2019-2020** - On motion (Caldwell) and second (Hooks), the Board voted unanimously to set the fiscal year 2019-2020 County millage rate at 6.82 mills. Chairman Boone read the resolution into the minutes. Chairman Boone stated he was notified earlier that the Heard County Board of Education (BOE) adopted their millage rate at a BOE meeting prior to the Commissioners meeting.

**Agenda Item # 8 – Public Comments** – Mrs. Brenda Turner, a resident in Heard County, ask the Board why does senior citizens in Heard County have to pay school taxes? Chairman Boone stated that she would have to discuss that with the Heard County Board of Education (BOE) since they set their own millage rate.

Commissioner Denney thanked applicants, Mr. Rodney East and Mr. and Mrs. Jerry Thomaston on the appearance and upkeep of their rental properties in Heard County. She stated their rentals are always maintained and in great condition. Mr. Thomaston thanked the Board also for working so well with he and his wife in their requests.

**Agenda Item # 9 – Executive Session – None.**

There being no further business, on motion (Caldwell) and second (Denney), the Board voted unanimously to adjourn.

Adjourned at 7:19 p.m.

*Hope Cole*

County Clerk

Date 9/27/19

*Lee Boone*

Chairman

