

**HEARD COUNTY BOARD OF COMMISSIONERS MEETING
NOVEMBER 9, 2010 – 6:30 P.M.**

The Heard County Board of Commissioners held a Commissioners Meeting on November 9, 2010 at 6:30 p.m. in the courtroom of the Heard County Courthouse. In attendance at the meeting were Commission Chair June Jackson, District 1 Commissioner Isenhower, District 2 Commissioner Lee Boone, District 3 Commissioner Gwen Caldwell, District 4 Commissioner Frank Crook, District 5 Commissioner Sandi Allen, and County Attorney Jerry Ann Conner. Commission Chair Jackson called the meeting to order and welcomed everyone present. Mr. Randy Chestnut, Heard County citizen, gave the invocation.

Agenda Item # 3 – Approval of Minutes – On motion (Boone) and second (Allen), the Board unanimously voted to approve the minutes from October 26, 2010 as presented.

Agenda Item # 4 – Public Comments – Commission Chair Jackson opened public comments and reviewed the public meeting rules and regulations, item # 5, regarding public comments. There were no public comments.

Agenda Item # 5 – Amend Agenda – None.

Agenda Item # 6 – Old Business – a. Decision on Public Hearing – Review and Adopt Revisions to Article 10 of Heard County’s Zoning Ordinance – County Attorney, Jerry Ann Conner explained that due to the passage of Senate Bill 384, a portion of the Heard County ordinances that regulate the installation of pre-owned manufactured homes will need to be incorporated into our existing chapter. She presented the changes to the Board that will allow for non-conforming homes in this changed ordinance. On motion (Allen) and second (Boone), the Board unanimously approved the revisions.

b. Discuss Certificate of Occupancy for Heard County EMA Headquarters –

Commissioner Isenhower asked Mr. Kevin Hamby, Project Manager, if there was a certificate of occupancy issued for the new EMA Headquarters. Mr. Hamby stated that there is no requirement for a certificate of occupancy on that building. He stated that this building was out of the State Fire Marshal's jurisdiction. He referenced Georgia code number 25-2-13. County Attorney, Jerry Ann Conner stated that a County building is not required to be inspected by the local building inspector. Commissioner Isenhower asked if an inspection was done by the contractor. Mr. Hamby stated, yes, by the contractor and himself, as the project manager. He stated there is documentation in the construction file regarding these inspections.

Agenda Item # 7 – New Business – a. Non-Conforming Use Application – Allen and

Patricia Hogan, 135 Simpson Road, Franklin, GA – Commission Chair Jackson read

an application for a non-conforming home relocation application from Allen and Patricia Hogan. Mr. and Mrs. Hogan would like to relocate a 1972 12x48 Bowen Rockwood mobile home from 9969 Ga. Hwy. 34W to 135 Simpson Road as a permanent residence. Mr. Hogan stated that he is 72 years old and there is a great possibility that he will be losing his job in January. He explained that the doublewide on his property is in foreclosure and will be moved within the next few weeks. Commissioner Caldwell asked Mr. Hogan if he already purchased the 1972 mobile home. Mr. Hogan, stated, no, he has not. Commissioner Caldwell asked Mr. Hogan did he realize there would be several requirements he would have to meet to move the mobile home. Mr. Hogan stated, yes, he understood that completely. Commission Chair Jackson asked if any adjoining landowners would like to speak either for or against this request. Mr. Kevin Levens, 199

Simpson Road, spoke against this request. Mr. Jim Fuller, 100 McClain Drive, who is not an adjoining landowner, also spoke against this request. After some discussion, Commissioner Caldwell recommended to Mr. Hogan that he find a mobile home that is more suitable to the area and more compatible with the surrounding homes. On motion (Caldwell) and second (Allen), the Board voted 4 to 1 to deny this request. Commissioner Boone, Commissioner Crook, Commissioner Caldwell and Commissioner Allen voted for the motion. Commissioner Isenhower voted against the motion stating that she felt it was unfair to deny someone a home that was trying to provide for themselves to avoid being homeless.

b. Non-Conforming Use Application – Kristie Barber, 2985 Roosterville Road, Franklin, GA - Commission Chair Jackson read an application for a non-conforming home relocation application from Ms. Kristie Barber. Ms. Barber would like to relocate a 1991 14x70 Crystal Homestead mobile home from 3900 Roosterville Road to 2985 Roosterville Road as a permanent residence. Ms. Barber presented pictures of the mobile home she would like to relocate. She stated that there was a mobile home on this property at one time. Commissioner Allen asked Ms. Barber if she is aware of the zoning requirements to move this home. Ms. Barber stated, yes, she is aware of the underpinning and porch requirements to move this mobile home. Commission Chair Jackson asked if any adjoining landowners would like to speak either for or against this request. No one spoke. On motion (Boone) and second (Caldwell), the Board unanimously approved this request.

c. Non-Conforming Use Application – Ridley and Sarah Person, 1291 Frolona Road, Franklin, GA – Commission Chair Jackson read an application for a non-conforming

home relocation application from Ridley and Sarah Person. Mr. and Mrs. Person's mobile home recently burned and they are asking to replace the mobile home with a 2003 16x80 Buchaneer mobile home from Roanoke, AL. County Attorney, Jerry Ann Conner stated that since Mr. and Mrs. Person are replacing a burned mobile home, this application does not need approval by the Board.

d. Discuss Equipment for Public Works Department – Darold Wiggins, Public

Works Director – Darold Wiggins, Public Works Director presented the Board with a list of equipment he would like to purchase for the public works department to help with the chip sealing projects. He explained that he is now renting this equipment and would like to get permission from the Board to purchase the equipment. The equipment would include a compactor/roller and a broom/sweeper. He explained that these items can be used for operations other than chip seal. He stated that he did have prices from the rental company on this equipment but he felt that he may be able to find the equipment at a cheaper rate somewhere else. Commissioner Allen asked Mr. Wiggins did he have money in his operating budget to buy any of the equipment. He stated, yes, he could purchase the sweeper from the road department budget but not the roller. Commissioner Chair Jackson stated that the roller could be purchased with old SPLOST funds. After further discussion, on motion (Caldwell) and second (Crook), the Board unanimously approved for Mr. Wiggins to purchase the sweeper from the road department budget and the roller from the old SPLOST funds.

e. Discuss Purchasing of Hams for County Employees – Commission Chair Jackson stated that Walker Meats has quoted \$1.69 per pound for Christmas hams for the County employees this year. The cost per pound last year was \$1.35 per pound. She stated she

did not have a total number of employees yet and the total cost. She stated she would postpone this until the next meeting.

Agenda Item # 8 – Executive Session - Commission Chair Jackson asked for an Executive Session to discuss pending litigation. On motion (Allen) and second (Caldwell), the Board unanimously voted to enter into Executive Session. On motion (Allen) and second (Boone), the Board unanimously voted to return to Open Session. Commission Chair Jackson stated that the Board discussed pending litigation in Executive Session with no decisions made.

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