

**MADISON COUNTY BOARD OF COMMISSIONERS
MINUTES
REGULAR BUSINESS MEETING
January 26, 2009
6:30 P.M.**

MEMBERS PRESENT:

Commission Chairman Anthony Dove
District 1 Commissioner Stanley Thomas
District 2 Commissioner John Pethel Sr.
District 3 Commissioner Mike Youngblood
District 4 Commissioner Pete Bond
District 5 Commissioner Bruce Scogin

MEMBERS ABSENT:

MEDIA PRESENT:

Zach Mitcham, The Madison County Journal

STAFF PRESENT

Linda Cox, Acting County Clerk
Gary Venable, Technology Director
Donna Sisk, Human Resource
Cheryl Jensrud, BOC Office
Mike Pruett, County Attorney

Chairman Dove led in the pledge of allegiance to the American Flag.
Chairman Dove asked Commissioner Thomas to give the invocation

AGENDA ITEM I. Call to order and approval of the minutes of the Special Called Meeting of January 7, 2009, and the minutes of Regular Business Meeting of January 12, 2009.

Chairman Dove called the meeting to order and asked for a motion to approve the minutes of the Special Called Meeting of January 7, 2009
Commissioner Pethel made a motion to approve. Commissioner Youngblood seconded the motion. The vote was recorded as follows:

Commissioner Thomas, YES; Commissioner Pethel, YES; Commissioner Youngblood, YES; Commissioner Bond, YES and Commissioner Scogin, YES. The motion was approved five (5) YES votes to zero (0) NO votes.

Chairman Dove asked for a motion to approve the minutes of the Regular Business Meeting of January 12, 2009. Commissioner Youngblood made a motion to approve. Commissioner Bond seconded the motion. The vote was recorded as follows: Commissioner Thomas, YES; Commissioner Pethel, YES; Commissioner Youngblood, YES; Commissioner Bond, YES and Commissioner Scogin, YES. The motion was approved five (5) YES votes to zero (0) NO votes.

AGENDA ITEM II. Marvin White – Report from IDA.

Mr. White stated the construction on Hwy 29 water line was near completion. Work will be starting on Yarbrough Road and Cornelia Lane. Seagraves Mill Lake Project will start when the deed for the dam is turned over to the MCID. Land Application System permit was received from the Georgia Environmental Protection.

AGENDA ITEM III. Chairman Anthony Dove – Chairman’s Report to the Board.

Chairman Dove stated he would be informing the Board of Commissioners updates from the Legislative. Department of Transportation gave notice to proceed on Cherokee Road. Collection for LOST and Splost are down by 23%. That the IDA and the County were going to look into sharing the cost of an engineering project. Repairs had to be done on a broken water pipe at the Transfer Station.

AGENDA ITEM IV. Jeff Fowler request to rezone approx. 4 ac of a 9.16 ac parcel from A1 to RR to subdivide for 2 home sites for family members. The property is located on Farm Rd. on Map 71 Parcel 45-A in District 5.

Chairman Dove opened the Public Hearing and recognized Planning and Zoning Commission Chairman Wayne Douglas. Chairman dove closed the Public Hearing,

Chairman Dove asked for public comment in favor of the application. Chairman Dove asked for public comment in opposition to the application. Chairman Dove asked for public comment in favor of the application. Chairman Dove closed the Public Hearing, opened the Regular Business Meeting and asked for a motion regarding this application. Commissioner Scogin made a motion approve the rezone request. Commissioner Youngblood seconded the motion. The vote was recorded as follows: Commissioner Thomas, YES; Commissioner Pethel, YES; Commissioner Bond, YES; Commissioner Youngblood, YES and Commissioner Scogin, YES. The motion was approved five (5) YES votes to zero (0) NO votes.

Chairman Dove asked for a motion to close the Regular Business Meeting for the purpose of conducting a Public Hearing. All in favor say aye. All ayes, the motion was approved.

AGENDA ITEM V. Mitchell Goss request to rezone .379 ac from an 8.25 ac parcel of A2 to A1 to combine with his two adjoining properties. The property is located on Map 70 Parcel 87, on Goss Lane in District 5.

Chairman Dove opened the Public Hearing and recognized Planning and Zoning Commission Chairman Wayne Douglas. Chairman Douglas explained the application and said the Planning and Zoning Commission recommends approval by a 7-0 vote. Chairman Dove asked for public comment in favor of the application. Chairman Dove asked for public comment in opposition to the application. Chairman Dove asked for public comment in favor of the application. Chairman Dove closed the Public Hearing, opened the Regular Business Meeting and asked for a motion regarding this application. Commissioner Scogin made a motion to approve the rezone request. Commissioner Thomas seconded the motion. The vote was recorded as follows: Commissioner Thomas, YES; Commissioner Pethel, YES; Commissioner Bond, Up Stan; Commissioner Youngblood, YES and Commissioner Scogin, YES. The motion was approved five (4) YES votes to zero (0) NO votes.

The vote was recorded as follows: Commissioner Thomas, YES; Commissioner Pethel, YES; Commissioner Bond, YES; Commissioner Youngblood, YES and Commissioner Scogin, YES. The motion was approved five (5) YES votes to zero (0) NO votes.

AGENDA ITEM VI. Mitchell Goss request to rezone an 8.28 ac parcel from A2 to A1 to combine with his adjoining property. The property is located on Map 70 Parcel 87-01 in District 5.

Chairman Dove opened the Public Hearing and recognized Planning and Zoning Commission Chairman Wayne Douglas. Chairman Douglas explained the application and said the Planning and Zoning Commission recommends approval by a 7-0 vote. Chairman Dove asked for public comment in favor of the application. Chairman Dove asked for public comment in opposition to the application. Chairman Dove asked for public comment in favor of the application. Chairman Dove closed the Public Hearing, opened the Regular Business Meeting and asked for a motion regarding this application. Commissioner Scogin made a motion to approve the rezone request. Commissioner Thomas seconded the motion. The vote was recorded as follows: Commissioner Thomas, YES; Commissioner Pethel, YES; Commissioner Bond, Up Stan; Commissioner Youngblood, YES and Commissioner Scogin, YES. The motion was approved five (4) YES votes to zero (0) NO votes.

Chairman Dove asked for a motion to close the Regular Business Meeting for the purpose of conducting a Public Hearing. All in favor say aye. All ayes, the motion was approved.

AGENDA ITEM VII. John Byram request to rezone 135.30 acres from A2 to R3 with a PUD overlay with a Conditional Use for an EPD sewer system. The property is located on Map 58 Parcel 118 on Colbert Danielsville Rd. in District 5.

Chairman Dove opened the Public Hearing and recognized Planning and Zoning Commission Chairman Wayne Douglas. Chairman Douglas explained the application and said the Planning and Zoning Commission recommends approval by a 6-1 vote. Chairman Dove asked for public comment in favor of the application. Chairman Dove asked for public comment in opposition to the application. Chairman Dove asked for public comment in favor of the application. Chairman Dove closed the Public Hearing, opened the Regular Business Meeting and asked for a motion regarding this application. Commissioner Youngblood made a motion to

approve the rezone request. Commissioner Thomas seconded the motion. Commissioner Youngblood amended his motion to state the rezoning application to be approved on the condition that the developments substantiate performance to the application of the rezone including the concept plan. The vote was recorded as follows: Commissioner Thomas, YES; Commissioner Pethel, YES; Commissioner Bond, YES; Commissioner Youngblood, YES and Commissioner Scogin, NO. The motion was approved five (4) YES votes to zero (1) NO votes.

Chairman Dove asked for a motion to close the Regular Business Meeting for the purpose of conducting a Public Hearing. All in favor say aye. All ayes, the motion was approved.

OLD BUSINESS:

AGENDA ITEM VIII County Attorney Mike Pruett – Restoring Powers and Duties back to the Chairman.

Commissioner Scogin made a motion to restore powers and duties back to the Chairman. Commissioner Thomas seconded the motion. The vote was recorded as follows: Commissioner Thomas, YES; Commissioner Pethel, YES; Commissioner Bond, YES; Commissioner Youngblood, YES and Commissioner Scogin, NO. The motion was approved five (5) YES votes to zero (0) NO votes.

AGENDA ITEM IX. Commissioner Stanley Thomas – Personnel/Policy Change for County Clerk, Deputy Clerk or Administrative Assistant.

Commissioner Scogin made a motion to have the County Clerk, Deputy Clerk or Administrative Assistant, are not covered by 5-14 and 5-15 of the personal policy. This would be at the digression of the Chairman. Commissioner Thomas seconded the motion. The vote was recorded as follows: Commissioner Thomas, YES; Commissioner Pethel, YES; Commissioner Bond, YES; Commissioner Youngblood, YES and Commissioner Scogin, NO. The motion was approved five (5) YES votes to zero (0) NO votes.

AGENDA ITEM X. Commissioner Stanley Thomas – Planning for 2009 BOC meeting dates.

Chairman Dove stated he would like the Board of Commissioners to meet on the first and last Monday of each Month. The business meetings would be held the first Monday and Agenda Set Meeting would be held the last meeting. The following dates would April 22 instead of April 29, / May 21 instead of May 25 / September 8 instead of September 7.

The vote was recorded as follows: Commissioner Thomas, YES; Commissioner Pethel, YES; Commissioner Bond, YES; Commissioner Youngblood, YES and Commissioner Scogin, NO. The motion was approved five (5) YES votes to zero (0) NO votes.

AGENDA ITEM XI. Commissioner Stanley Thomas – Review of Occupational Tax.

Commissioner Thomas stated he would like to see a flat fee for Occupational Tax. Chairman Dove stated concerns with setting the fees to high. Department Head Eddie Pritchett stated fees were set by how many employees were employed by the business. Chairman Dave asked Mr. Pritchett to have some information on setting fees for the next Board of Commissioners meeting.

NEW BUSINESS:

AGENDA ITEM XII. Wendell Williams – Continuing tax concerns.

Mr. Williams stated he was refused to have his hearing with the Board of Equalization. Mr. Williams stated he did not receive his notice of hearing. Chairman Dove stated he would meet with Mr. Williams to review this matter.

AGENDA ITEM XIII. Madison County Health Department – Environmental Health Fees.

Commissioner Scogin made a motion to restore powers and duties back to the Chairman. Commissioner Thomas seconded the motion. The vote was recorded as follows: Commissioner Thomas, YES; Commissioner Pethel, YES; Commissioner Bond, YES; Commissioner Youngblood, YES and Commissioner Scogin, NO. The motion was approved five (5) YES votes to zero (0) NO votes.

AGENDA ITEM XIV. Chairman Anthony Dove – Road Projects.

Chairman Dove gave a report of work done from January 12, 2009 to January 23, 2009.

Each of the Commissioners went over the roads projects that are needed in there District.

AGENDA ITEM XV. Urgent Matters.

Commissioner Scogin made a motion to suspend the rules to discuss an item not on the agenda. Commissioner Pethel seconded the motion.

Commissioner Scogin made a motion to allow Chairman Dove to sign the Deed and Easement for the Water Tower on Hwy 98. Commissioner Youngblood second the motion.

The vote was recorded as follows: Commissioner Thomas, YES; Commissioner Pethel, YES; Commissioner Bond, YES; Commissioner Youngblood, YES and Commissioner Scogin, NO. The motion was approved five (5) YES votes to zero (0) NO votes.

Chairman Dove asked for a motion to conduct an Executive Session to discuss litigation. Commissioner Scogin made a motion to conduct an Executive Session to discuss litigation. Commissioner Youngblood seconded the motion. All in favor say aye. All ayes, the motion was approved. The Board retired to Executive Session at 10:00 pm.

AGENDA ITEM XXIV. Adjournment.

The Board returned from Executive Session. Chairman Dove called the meeting to order and asked for a motion to adjourn. Commissioner Thomas made a motion to adjourn. Commissioner Youngblood seconded the motion. All in favor say aye. All ayes, the motion was approved. The meeting adjourned at 11:00 pm.

AS REQUIRED BY GEORGIA LAW:

All parties who have made campaign contributions to any member of the Madison County Board of Commissioners in excess of \$250.00 within the past two (2) years, and who desire to speak in opposition to the above petition shall, at least five (5) days prior to the Public Hearing, file a campaign contribution report with the Madison County Department of Planning and Zoning. Please call (706) 795-6340 for additional information.