

AGENDAS
McDUFFIE COUNTY BOARD OF COMMISSIONERS' MEETING
December 18, 2007, 6:30 PM, Grand Jury Room, McDuffie County Courthouse

PUBLIC INPUT

1. **Speakers:**
Adjournment

ZONING HEARING

1. **Lewis Robertson – Conditional Use Review – Cobbham Rd.**
2. **Raymond Swann – Reduced Side Setbacks – Washington Rd.**
3. **Robert Jones – Mobile Home Age – Brinkley Dr.**

Adjournment

COMMISSION MEETING

CALL TO ORDER & WELCOME

Chairman Newton

INVOCATION & PLEDGE OF ALLEGIANCE

APPROVALS

Minutes (Regular Mtg. 11-7-07)
Minutes (Regular Mtg. 11-20-07)
Minutes (Regular Mtg. 12-5-07)
Agenda (Current)

INFORMATION & ANNOUNCEMENTS

1. **Discuss Proposed Dates for 2008 Annual Retreat – Athens, 2/22 & 2/23/2008**
2. **County Employee Christmas Luncheon: 12/19, 12 Noon, Depot**
3. **Possible Cancellations: 1) Commissioner's Work Session 12/31/07 (New Year's Eve);
2) Regular Commission Meeting 1/2/08 (day after holiday, 2008 New Year's Day)**

OLD BUSINESS

1. **Proposed Amendment to Alcoholic Beverage Ordinance (Don Norton)**

NEW BUSINESS

1. **Planning Board Recommendations (Chairman Newton)**
2. **Proposed Agreement to Share Legal Representation Fees – Holland Ware
Foundation Tax Exemption Issue (Katherine Perry)**
3. **Monthly Budget Report – November 2007 (Don Norton)**
4. **Monthly Financial Report – November 2007 (Jimmy Whitaker)**
5. **Year End Budget Amendments (Jimmy Whitaker)**

ADJOURNMENT

The McDuffie County Board of Commissioners held a regular Commission Meeting Tuesday evening, December 18, 2007, 6:30 PM, Grand Jury Room, McDuffie County Courthouse.

COMMISSIONERS PRESENT

**Charles G. Newton IV, Chairman
Sammie Wilson Sr., Vice Chairman
Rev. Fred Favors, Commissioner
J. Robt. "Bob" Farr, Commissioner**

ABSENT

Darrell Wester, Commissioner

COUNTY REPRESENTATION

**Don Norton, County Manager
Annette Finley, County Clerk
Jimmy Whitaker, County Finance Director
Fred Guerrant, Director, Planning Board
Mindy Carney, Zoning/License Administrator
Kelly Evans, Director, IT Department
Katherine Perry, Chief Tax Assessor**

MEDIA REPRESENTATION

**McDuffie Mirror, Billy Hobbs
McDuffie Progress, Jim Wallace**

OTHERS

Six (6) other citizens attended.

PUBLIC INPUT

**Speakers: None
Adjournment: 6:30 PM**

ZONING HEARING

Chairman Newton asked Fred Guerrant, Director of the Planning Board, to address these issues.

1. Lewis Robertson – Conditional Use Review – Cobbham Road

F. Guerrant stated that he had received an application from Mr. Lewis Robertson requesting a Conditional Use Review for a portion of land on Cobbham Rd. Guerrant reviewed the surround property structure uses and zoning classifications and explained that Lewis recently purchased 63+ acres on the west side of Cobbham Rd. near its intersection with I-20 which is across from the old Cason's Tavern. Mr. Robertson's business, Robertson's Paving and Grading, is currently located off of Mistletoe Road in Columbia County. He wants to relocate his paving business on the rear 15 acres of the 63 acre parcel. The remaining front 48 acres would be available for sale for commercial development. Associated with the business would be the construction of a 7,500 sq. ft. steel building to serve as administration offices and truck maintenance. Guerrant also explain that the Robertson parcel is within the T-1 zoning district which is reserved for interstate commercial developments. Mr. Robertson indicated that of his 58 employees, only 11 administrative staff plus truck maintenance personnel would be coming to the site. He owns an asphalt plant in Columbia County but has no intention of moving the plant to the Cobbham location. It was noted that the proposed paving and grading site is adequately buffered from the Interest traffic and that he will be installing vegetative buffering at the front of his property to buffer his operation from the anticipated commercial development. The Planning Commission recommended Conditional Use approval of the rear 15 acres for use by the grading and paving operation. The remaining front 48 acres will remain zoned T-1 therefore available for commercial development.

2. Raymond Swann – Reduced Side Setbacks – Washington Road

F. Guerrant stated that he had received an application from Mr. Raymond Swann requesting a variance for the reduction of side setback. Mr. Swann

recently purchased the former Thomson Tool building at 1266 Washington Road which is located between his Carpet & Remnant store and the Wilson Homes building. Raymond purposes to construct a 60'x85 addition to the front of the existing building to expand a proposed new carpet and tile showroom. According to the initial location of the addition, he needed a reduction in side setback from 30' to 10' on the south near the Wilson Homes building. Currently, there is a separation between the Tool building and the Wilson Homes building of approximately 8'. At an earlier meeting with Stephen Swan, the Wilsons agreed that they would "not be opposed" to a 20' side setback. The Planning Commission recommended approval of reduction of both the north and south side setbacks from 30' to 20'.

3. Robert Jones – Mobile Home Age – Brinkley Drive

Guerrant reported that he had received a request from Mr. Robert Jones requesting a variance for the age of a mobile Home. Mr. Jones is requesting approval to move a 14 year old double-wide mobile home from Columbia County to a vacant 4.17 acre parcel adjacent to his residence on Brinkley Drive off of Rousseau Creek Road. The residence would accommodate either Mrs. Jones' daughter or her handicapped brother. Guerrant explained that this is not a handicapped variance but only a variance regarding the age of the mobile home. He indicated that the home was only two years over the age limit but that it had been inspected and found to be in excellent condition. The Planning Commission recommended approval of the request.

Adjournment: 6:40 PM

COMMISSION

CALL TO ORDER

Chairman Newton called the meeting to order and welcomed all visitors.

INVOCATION & PLEDGE OF ALLEGIANCE

Commissioner/Reverend Fred Favors offered the invocation which was followed by the Pledge of Allegiance.

APPROVALS

Minutes (Regular Mtg. 11-7-07)

A motion to approve the minutes of the 11-7-07 Commission Meeting was made by Farr, seconded by Wilson and passed unanimously.

Minutes (Regular Mtg. 11-20-07)

A motion to approve the minutes of 11-20-07 Commission Meeting was made by Wilson, seconded by Farr and passed unanimously.

Minutes (Regular Mtg. 12-05-07)

A motion to approve the minutes of 12-05-07 was made by Farr, seconded by Favors and passed unanimously.

Agenda (Current)

A motion to approve the current agenda was made by Wilson, seconded by Farr and passed unanimously.

INFORMATION & ANNOUNCEMENTS

1. **Announcement - The annual City-County Retreat, scheduled for 2/22 & 2/23/08 in Athens.**

2. **Announcement - County Employee Christmas Luncheon, scheduled for 12/19/07, 12 Noon, Depot.**
3. **Cancellations: 1) Commissioners' Work Session 12/31/07 (New Year's Eve); 2) Regular Commission Meeting, 1/1/08 (day after holiday, 2008 New Year's Day). A motion to approve this matter was made by Farr, seconded by Wilson and passed unanimously.**

OLD BUSINESS

1. **Proposed Amendment to Alcoholic Beverage Ordinance: Chairman Newton asked Don Norton to address this matter.**

Don stated that the County Attorney had written legal procedures to him in order to modify the Alcohol Beverage portion of our Ordinance to allow the sale of alcoholbeverages on Election Day; 1) the Board should approve in its minutes the deletion of Section 6-108(b) in its entirety; and 2) the Board should amend Section 6-83(3), 6-108(3), 6-133(3) and 6-157(3) by deleting (3) in its entirety and substituting therefore in each Section the following:

- (3) **At any time or place prohibited by state law or by regulations of the state revenue commissioner.**

After discussion, it was Commission Wilson suggested postponing this matter to the next Commission Meeting scheduled for January 15. No action was taken at this time.

NEW BUSINESS

1. **Planning Board Recommendations: Chairman Newton reviewed the following 3 requests heard earlier in the Zoning Hearing and asked the Board for their action:**

- 1) **Lewis Robertson – Conditional Use Review – Cobbham Road.**

A motion to uphold the Planning Board's recommendation and approve this request was made by Favors, seconded by Wilson and passed unanimously.

- 2) **Raymond Swann – Reduced Side Setbacks – Washington Road.**

A motion to uphold the Planning Board's recommendation and approve this request was made by Wilson, seconded by Farr and passed unanimously.

- 3) **Robert Jones – Mobile Home Age – Brinkley Drive.**

A motion to approve the Planning Board's recommendation was made by Favors, seconded by Wilson and passed unanimously.

2. **Proposed Agreement to Share Legal Representation Fees – Holland Ware Foundation Tax Exemption Issue: Chairman Newton asked Katherine Perry, Chief Tax Assessor to address this matter.**

Katherine reviewed the proposed agreement to share legal fees that would be incurred to retain a legal firm with expertise in litigation as each of the counties prepare to go to arbitration regarding the foundation, Holland M.

Ware Foundation, seeking to remove numerous acres of timberlands from the tax digest for the current year on a tax-exempt status. Holland M. Ware Foundation recently applied for tax-exempt status for timberlands. This would amount to the loss of thousands of dollars for the county. A copy of the Agreement supporting the retention of legal counsel through Bondurant, Mixson & Elmore, LLP, a legal firm located in Atlanta, GA is on file in the Commission

After discussion, a motion was made by Favors to support and approve the agreement provided by the Commissioners' Office in Webster County regarding the sharing of legal fees that would be incurred to retain a legal firm in litigation; motion was seconded by Wilson and passed unanimously.

- 3. Monthly Budget Report – November 2007: Chairman Newton asked County Manager, Don Norton, to present this report.

Don reported that as of November 30, 2007 with 91.7of the year lapsed, the County had collected \$11,946,472.90 or 97.7% of the projected YTD General Fund Revenue. With 91.7% of the year lapsed, the YTD General Fund Expenditures were \$10,706,698.56 or 86.6%.

- 4. Monthly Financial Report – November 2007: County Finance Director, Jimmy Whitaker, presented reports on all bank accounts showing a grand total of \$13,351,455.08 as of November 30, 2007; Hotel/Motel Report reflects a YTD \$209,523.28 or 7.27% increase from 2006 on the same date; Local Option Sales Tax Collections YTD are at \$2,281,247.29 or an overall increase of .74% from 2006 on the same date; and, SPLOST IV Revenue/Expenditure Report with a total program revenue of \$13,055.689, expenditures of \$\$8,319,354 leaving an available balance of \$4,736,335, plus \$419,980 earned interest.

- 5. Year End Budget Amendments: Chairman Newton asked Finance Director, Jimmy Whitaker, to present these amendments.

Jimmy presented Budget Amendments for the following:

District Attorney	\$8,650.00
Enterprise Operations	\$5,630.00
Capital Cases	\$1,625.00

Jimmy also recommended an approval of \$56,897.00 increasing Loan proceeds and expenditures in Public Works by the same amount for vehicles since this amount was programmed for 2006 but not actually used until truck delivery in 2007..

A motion to approve all of the budget amendments as outline above was made by Farr, seconded by Wilson and passed unanimously.

ADJOURNMENT

There being no further business to come before the Board at this time, a motion to adjourn was made by Wilson, seconded by Farr and passed unanimously.

McDUFFIE COUNTY BOARD OF COMMISSIONERS

Charles G. Newton IV, Chairman

ATTEST:

Annette Finley, County Clerk