

**HEARD COUNTY BOARD OF COMMISSIONERS MEETING  
July 13, 2010 – 6:30 P.M.**

The Heard County Board of Commissioners held a Commissioners Meeting on July 13, 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 Karen 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. Bobby Cothran gave the invocation.

**Agenda Item # 3 – Public Hearing – a. Application to Amend Zoning Ordinance Map – Bobby & Leesa Cothran – Property Location – 137 Five Notch Road –**

Commission Chair Jackson opened the public hearing and read the request from the applicants to rezone 2 acres from agriculture to general commercial for the purpose of operating a produce stand. She stated that after reviewing the “Standards for Evaluating Zoning Request”, the Planning Commission recommends approval of this request.

Applicant, Mr. Bobby Cothran, addressed the Board explaining their plans to construct a pole barn building to operate a commercial produce stand at the corner of U.S. Hwy. 27 and Five Notch Road. He stated they plan to sell pre-purchased produce and produce they grow themselves. He explained that in the future he would like to grow the produce stand into a multipurpose stand, with coolers and restrooms, to also be able to provide things such as quality produce, greenhouse items, Christmas trees, and seasonal items. There being no public comments and no further comments from the Board, on motion (Allen) and second (Crook), the Board unanimously voted to close the public hearing.

**Agenda Item # 4 – Approval of Minutes** – On motion (Boone) and second (Allen), the Board unanimously voted to approve the minutes from June 22, 2010 with a change to page 3.

**Agenda Item # 5 – Public Comments** – Ms. Kathy Knowles, President of the Heard County Chamber of Commerce, thanked the Board for their help in making the July 4<sup>th</sup> celebration possible and such a great success. Commissioner Isenhower read a prepared speech regarding accountability.

**Agenda Item # 6 – Amend Agenda** – Commissioner Isenhower asked for an amendment to New Business to include “c – Discuss Contract with Southeastern Site Builders”. There being no second, the motion died on the table.

**Agenda Item # 7 – Old Business – a. Decision on Abandonment for a Portion of Barr Farm Road** – County Attorney, Jerry Ann Conner stated that she had received a letter from Forestar about their property on Barr Farm Road. The letter stated that they have no use for the portion of property on Barr Farm Road and would like to abandon this property back to the McCormick family. Ms. Conner asked the Board to approve a quit claim deed for this property to revert back to the McCormick family. Commissioner Caldwell clarified that this property is on the same side of the road as the McCormick family. Ms. Conner stated, yes, it is tract 5 and 6 on the survey. On motion (Caldwell) and second (Allen), the Board unanimously voted to quit claim this property back to the McCormick family.

**Agenda Item # 8 – New Business – a. Decision on Public Hearing – Application to Amend Zoning Map** – On motion (Boone) and second (Allen), the Board unanimously

approved this request for the specific purpose of marketing produce, plants, and typical items found at a farmer's market.

**b. Discuss Pilot Agreement with Oglethorpe Power** – County Attorney, Jerry Ann Conner, presented to the Board an agreement regarding ad valorem taxation between the Heard County Board of Commissioners, the Heard County Board of Tax Assessors, the Heard County Development Authority, and Oglethorpe Power Corporation. She explained that Oglethorpe Power recently purchased Dynegy Power and the current agreement would need to be signed to reflect this sale. She explained that this is the same P.I.L.T. (payment in lieu of taxes) agreement as the 2005 agreement between Heard County and Dynegy. She explained that this agreement is for the remaining term of 10 years and then the assets would be reflected on the tax digest. She stated the payments are currently up to date. On motion (Crook) and second (Allen), the Board unanimously approved this request.

**Agenda Item # 9 – Executive Session** - Commission Chair Jackson asked for an Executive Session to discuss pending litigation and real estate acquisition. On motion (Caldwell) and second (Allen), the Board unanimously voted to enter into Executive Session. On motion (Caldwell) and second (Isenhower), the Board unanimously voted to return to Open Session. Commission Chair Jackson stated that the Board discussed pending litigation and real estate acquisition in Executive Session with no decisions made.

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