

HEARD COUNTY BOARD OF COMMISSIONERS MEETING
May 16, 2023 - 6:30 P.M.

The Heard County Board of Commissioners held a regular Commissioners Meeting on May 16, 2023, 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 2 Commissioner James Perry, District 3 Commissioner Iris Harris, District 4 Commissioner Larry Hammond, and District 5 Commissioner David Walls. District 1 Commissioner Larry Hooks was unable to attend. County Attorney Michael Hill was also present at the meeting.

Agenda Item # 2 - Welcome, Invocation, and Pledge to the American Flag

Chairman Lee Boone called the meeting to order, welcomed everyone present, and gave the invocation.

Agenda Item # 3 - Public Hearings

Chairman Boone went over the public comment rules and asked the public to speak into the microphone when speaking.

a. Application for Special Use -Medical Hardship, Brian Fredericks, Location- 865 Boggus Road- Chairman Boone opened the public hearing and stated that Brian Fredericks was requesting to be allowed to use a camper as a temporary dwelling due to a medical hardship. Chairman Boone stated that after review, the Heard County Planning Commission made a recommendation to deny the special use application. Mr. Fredericks stated that his relatives, Wayne and Nancy Stokely, are residing at the property with two other relatives. Mr. Fredericks stated that Wayne Stokely suffers from serious health conditions that require him to have a caregiver around the clock. Mr. Frederick stated the home is 896 square feet and is not currently big enough to accommodate everyone. Thomas Prescott, of 999 Boggus Road, opposed the use

of a camper as a temporary dwelling. On motion (Walls) and second (Hammond), the Board unanimously approved to close this public hearing.

b. Application to Rezone from Single Family Residential to Multi Family Residential, Hugh Goodson, Location-7717 Franklin Parkway; Chairman Boone opened the public hearing, he stated that Hugh Goodson was requesting to rezone one acre of land from Single Family Residential to Multi Family Residential to build a duplex on the property. Chairman Boone stated that after review, the Heard County Planning Commission made a recommendation to deny the application. Hugh Goodson apologized for missing the Heard County Planning Commission meeting due to being out of the country. Mr. Goodson stated that he was told his application was denied due to not being at that meeting. Mr. Goodson stated that he is seeking to build two duplexes on the property. Commissioner Perry inquired as to why he wanted to build duplexes instead of a house on the property. Mr. Goodson stated that he did not think it would be good due to the surrounding properties being all rental property. On motion (Hammond) and second (Walls), the Board unanimously approved to close this public hearing.

Agenda Item # 4 – Approval of Minutes

The minutes from the April 18, 2023, regular Commissioner's meeting were presented to the Board for approval. On a motion (Perry) and second (Walls), the Board voted unanimously to approve the minutes from the April 18, 2023, regular Commissioner's Meeting as written.

Agenda Item # 5 – Amend Agenda

Chairman Boone asked for an amendment to new business to add item "g" – Reappointment to the Board of Elections. On motion (Hammond) and a second (Perry), the Board unanimously approved to amend the agenda to add item "g" under new business.

Agenda Item # 6 – New Business

a. Decision – Special Use - Brian Fredericks

Commissioner Walls stated that he did not wish to go against the ordinance that was in place. He asked Mr. Fredericks if he was willing to use a contractor to add an addition to the home. Mr. Frederick stated that he was willing to use a contractor, that he had spoken with two different contractors regarding the addition. Chairman Boone stated that the ordinance did not allow for a medical hardship. He stated that Mr. Fredericks moved the people onto the property into a camper without any intention of making the required additions to the home and it was only after he was reported to Codes Enforcement that he is now trying to start the process. Mr. Fredericks has had two months to get the required permits and has not even formed a plan to remedy the issue. Mr. Fredericks stated that he lived in Florida, he did not want to start the process until he came before the Commissioners. Commissioner Hammond inquired to how long Mr. Stokely had been disabled. Nancy Stokely stated that he has had cirrhosis of the liver for two years and was in a four-wheeler accident about a year ago. Commissioner Walls stated that Mr. Fredericks had 30 days to get started on the addition or move the Stokely's off the property. Mr. Frederick agreed with Commissioner Walls. On the advice of County Attorney Michael Hill, on a motion (Walls) and second (Perry), the Board voted unanimously to table the decision on the application until the next regular Commissioners Meeting in June.

b. Decision – Rezone from Single Family Residential to Multi Family Residential, Hugh Goodson

On motion (Hammond) and a second (Harris), the Board unanimously voted to approve the application submitted by Hugh Goodson.

c. Appointment – Planning Commission Board

On motion (Walls) and a second (Hammond), the Board unanimously voted to appoint Charlene Storey to fill the unexpired term of Rick Jones.

d. Appointment – Development Authority Board

On motion (Walls) and a second (Perry), the Board unanimously voted to appoint Phyllis Woodson to fill the unexpired term of Greg Holcomb. On motion (Hammond) and a second (Harris), the Board unanimously voted to appoint Tonya King to fill the unexpired term of Leighton Alstin.

e. Discuss – Erosion Control Ordinance

Commissioner Hammond expressed his concerns with the effects that soil erosion is having on the river. Chairman Boone stated that there is an ordinance that states you must take soil erosion preventions if you are grading more than one acre of land. Commissioner Hammond stated that he would like an affidavit added to the building permits process that addresses the preventative measures for soil erosion. Chairman Boone stated that he would have Building and Zoning add the affidavit to the permit process. There was no action required for this item.

f. Discuss – Impact Fee Implementation with Permits

Commissioner Hammond discussed how the surrounding counties implemented an impact fee on new property development. He stated an impact fee could be an option to generate revenue in the future. There are several steps that would need to be taken before the fee could be implemented. He asked the board to research and think about it. There was no action required for this item.

g. Reappointment - Board of Elections

The Director of Elections, Tonnie Adams, requested the board to re-appoint Robin Smith to the Board of Elections. On motion (Hammond) and a second (Harris), the Board unanimously voted to re-appoint Robin Smith to the Board of Elections for another four-year term.

Agenda Item # 7 – Old Business

There was no Old Business to discuss.

Agenda Item # 8 – Public Comments

- a. Debra Jo Steele, 2681 Joe Stephens Road, addressed the Board in opposition of the Hydro Power Project.
- b. Raymond Brown, 1560 George Brown Road, addressed the Board regarding beaver issues at his home.
- c. Kenneth Skinner, 225 Cherry Road, opposed and inquired about information regarding the permitting of the Heard County Pump Storage Facility.
- d. Len Savage, 1486 Cherry Road, opposed the Hydro Power Project.

Item # 9 – Executive Session

There was no Executive Session.

Item # 10 – Adjourn

On a motion (Perry) and second (Walls), the Board voted unanimously to adjourn the meeting.

Katrina Billingsley

County Clerk

Date 06-20-2023



Lee Boone

Chairman

