

**HEARD COUNTY BOARD OF COMMISSIONERS MEETING
AUGUST 28, 2018 - 6:30 P.M.**

The Heard County Board of Commissioners held a Commissioners Meeting on August 28, 2018 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 1 Commissioner Larry Hooks, District 2 Commissioner Keri Denney, District 3 Commissioner Gwen Caldwell, District 4 Commissioner Larry Hammond, District 5 Commissioner Joe Adams and County Attorney Jerry Ann Conner. Chairman Boone called the meeting to order, gave the invocation and welcomed everyone present.

Agenda Item # 3 – Service Award Presentation – Timothy J. Rogers – Chairman Boone and the Board presented a service award plaque to Mr. Timothy Rogers for 30 years of continuous service to Heard County. The entire Board thanked Mr. Rogers for his loyal and dedicated service to Heard County.

Agenda Item # 4 - Public Hearing – a. Rezoning Requested by Mr. Robert Payne, (Property located at corner of Pea Ridge Road and Franklin Parkway; Continued from last month) - Chairman Boone opened the public hearing and read the request from Mr. Payne to request 5 acres of land at the corner of Pea Ridge Road and Franklin Parkway be rezoned from agricultural to general commercial for the purpose of building mini warehouses for storage. Zoning Administrator Stacie Morris stated that after reviewing the Standards for Evaluating Zoning Request; the Planning Commission makes a recommendation to change the zoning classification from A1 to GC with conditions (attached), and upon the Board of Commissioners approval of the zoning application, the applicant will be granted a variance of the set back and buffer requirements upon conditions. The conditions were changed by the Planning Commission at their last meeting (attached).

Chairman Boone reviewed the public comment rules and asked for any public comments. Chairman Boone stated that Mr. Payne could not attend the meeting tonight.

There being no public comments and no further discussion, on motion (Adams) and second (Caldwell), the Board unanimously voted to close the public hearing.

b. Special Use Application – TowerCom V LLC, (Property located at 2412 Strickland Road) –

Chairman Boone opened the public hearing and read the request from TowerCom V LLC to have a telecommunication (monopole) tower located on property owned by Jack Curtis Strickland Trustee located at 2412 Strickland Road. Zoning Administrator Stacie Morris stated that after reviewing the Standards for Evaluating Zoning Request; the Planning Commission makes a recommendation to approve this special use application with conditions (attached). Chairman Boone reviewed the public comment rules and asked for any public comments. The applicant's attorney, spoke regarding this application. He explained that T-Mobile wishes to locate on the tower to provide coverage for the southwest area of Heard County. Mr. Rob Petry, resident at 189 Liberty Hill Glenn Road spoke in opposition to the tower being built. There being no further public comments and no further discussion, on motion (Adams) and second (Hammond), the Board unanimously voted to close the public hearing.

Agenda Item # 5 – Approval of Minutes – On motion (Hooks) and second (Hammond), the Board unanimously voted to approve the minutes from July 24, 2018.

Agenda Item # 6 – Amend Agenda – Chairman Boone asked to amend New Business to include item g. – Update on Glover Road Park Renovations. On motion (Hooks) and second (Hammond), the Board unanimously approved this request.

Agenda Item # 7 – Old Business – a. Discuss Rezoning Request – Robert Payne – After some discussion, on motion (Hammond) and second (Caldwell), the Board unanimously voted to accept the

Planning Commission's recommendation to change the zoning classification from A1 to GC with conditions (attached).

Agenda Item # 8 – New Business – a. Discuss Special Use Application – TowerCom V LLC –

Commissioner Adams asked the TowerCom representative when would construction be starting on the tower. He stated construction would be starting in November or December of 2018 if the special use application is approved. On motion (Adams) and second (Hooks), the Board unanimously approved this application.

b. Discuss Appointment to Heard County Board of Elections and Registration – Tonnie Adams, Elections Superintendent stated that Mr. Jim Kuchenbaker recently resigned from the Board of Elections and Registration. He stated the Board of Elections and Registration met in regular session on July 25, 2018 and would like to recommend appointing Mrs. Robin Smith to serve the remainder of Mr. Kuckenbaker's term which will expire July 1, 2019. On motion (Caldwell) and second (Adams), the Board unanimously approved the appointment of Mrs. Smith.

c. Adopt Fee Proposal for Heard County Health Department – Chairman Boone stated that the Heard County Health Department has asked the Board to adopt a new fee proposal for their services (attached). On motion (Hooks) and second (Hammond), the Board unanimously approved the new fees.

d. Adopt Resolutions for 9-1-1 Charges on Telephone, Wireless, and Prepaid Wireless Services –

Chairman Boone stated that due to House Bill 751 that was recently passed, Heard County must update our 9-1-1 resolutions in order for Heard County to continue to receive our fees from the Department of Revenue beginning January 1, 2019. On motion (Hooks) and second (Denney), the Board unanimously approved this request.

e. Discuss Current Cell Tower Ordinance – Chairman Boone stated that Heard County recently learned that the current Heard County cell tower ordinance has some height restrictions that are discouraging cell tower companies from locating in Heard County. Chairman Boone suggested that the Heard County Planning Commission review the ordinance and send any suggested revisions back to the Board. On motion (Adams) and second (Hooks), the Board unanimously approved this request.

f. Approve Millage Rate for Fiscal Year 2018-2019 - On motion (Caldwell) and second (Denney), the Board voted unanimously to set the fiscal year 2018-2019 County millage rate at 6.83 mills. The Heard County Board of Education (BOE) also presented a resolution for the Board to approve the BOE millage rate of 15.396 mills that was adopted at a BOE meeting prior to the Commissioners meeting.

g. Update on Glover Road Park Renovations – Kathy Knowles, Executive Director with the Development Authority of Heard County presented an option to the Board regarding proposed renovations to the Glover Road Park. After much discussion, the Board agreed for Mrs. Knowles to proceed with quotes for the proposed renovations.

Agenda Item # 9 – Public Comments – Mr. Chip Bulloch with TowerCom stated he would be happy to help the Planning Commission with changes to the current cell tower ordinance.

Agenda Item # 10 – Executive Session – On motion (Adams) and second (Hammond), the Board unanimously voted to enter into Executive Session to discuss possible litigation and land acquisition. On motion (Hammond) and second (Adams), the Board unanimously voted to return to Open Session. Chairman Boone stated in Executive Session, possible litigation and land acquisition were discussed with no decisions made.

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

Adjourned at 8:10 p.m.

Patty A. Giles
County Clerk

Lee Boone
Chairman

Date 9/25/18