

Regular Meeting  
Board of Commissioners  
May 9, 2013

Prayer and Pledge to the United States Flag.

Meeting called to order by Chairman Horace Daniel.

Commissioners Horace Daniel, Larry Mathis, Edward Burten, Frank Simmons, and Melton Jones were present.

Commissioner Simmons made a motion to approve minutes. Seconded by Commissioner Mathis. Carried by a show of hands.

Total amount of bills were announced by Chairman Daniel.

Road Department.....	\$86,180.05
Landfill.....	\$21,944.49
E-911 & EMA.....	\$9,816.83
Sheriff Department & Jail.....	\$45,025.33
Courthouse.....	\$42,517.95
Administrative & Other .....	\$241,959.27
Total.....	<u>\$447,443.92</u>

Commissioner Simmons made a motion to approve bills. Seconded by Commissioner Burten. Carried by a show of hands.

Road Department Update – Dean Davis

Appointments:

1. David Chapman – Adams Road Condition (did not show)
2. John Mills – made announcements regarding 2014 elections, boxing program at Recreation Department and showers needed at Recreation Department.
3. Michael Miller – Brought flood water pictures of Mayview Drive and asked the Commissioners to rectify the situation.

Old Business:

1. Garbage/Recycle Fee for City Residents – Commissioner Simmons made a motion to allow a Garbage/Recycle fee for City Residents. Seconded by Commissioner Burten. Carried by a show of hands.

**Executive Session:**

Commissioner Simmons made a motion to go into Executive Session at 9:28 am to discuss land acquisition. Seconded by Commissioner Mathis. Carried by a show of hands.

**Resume in Regular Session:**

New Business:

1. Condemnation of Kaolin Road Right of Way – Commissioner Simmons made a motion to condemn property of R. Edward Turner on property running on either side of Kaolin Road (see attached). Seconded by Commissioner Burten. Carried by a show of hands.

Meeting Adjourned

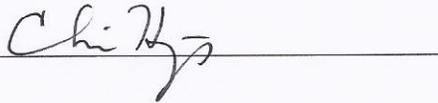
10 Minute Public Comment Session

Chairman, Horace M. Daniel



Date 5-15-13

County Administrator/Clerk, Chris Hutchings



Date 5-15-13

\*\*\*Board Minutes are unofficial unless signed\*\*\*

BOARD OF COMMISSIONERS OF WASHINGTON COUNTY  
STATE OF GEORGIA

**Resolution 2013-4, Finding that It Is Necessary for the Board of Commissioners to Condemn Certain Property and Interests in Washington County for Public Road Purposes.**

**Be it resolved** by the Board of Commissioners of Washington County, Georgia:

1. That on September 11, 2008, the County Commission voted to pave Kaolin Road between the current termination of asphalt and Tennille Oconee Road;
2. That while the County has successfully negotiated from several landowners along the route of the intended road work the purchase of additional right-of-way, there is a particular tract of property the County has not been able to obtain through negotiations with the owner;
3. That the Commissioners have determined that such a taking for public road purposes is in the public interest, is appropriate, and will improve the transportation infrastructure of Washington County;
4. That this tract is described as follows:

A parcel of land in the 90th and 1488th GMDs of Washington County, Georgia, consisting of 7.648 acres, more or less, and running on either side of the existing county-maintained dirt road number 277, otherwise known as "Kaolin Road," being part of the property of Ralph Edward Turner, Jr., and more specifically described in the attached plat, Exhibit "A."

Said parcel is a portion of a larger tract of Ralph Edward Turner, Jr., consisting of a total of 454.07 acres and bounded as follows: North and West by lands now or formerly belonging to Hodges Land and Timber and Allen M. Hodges; South by lands belonging to Pace and Thomas and the Wilcher Estate as well as the right of way of Tennille-Oconee Road; and East by the right of way of Smith-Robison Road. This larger tract is described as parcel 064-006 in the records of the Washington County Tax Assessor.

5. That a plat of said property is attached hereto as Exhibit "A";
6. That the County seeks to acquire right and title to the 7.648 acres as well as a temporary construction easement over two parcels of .014 acres and .113 acres, respectively, as shown on said plat;
7. That if the landowner demands a substantial price for the mineral value of the property, the Commissioners authorize the County attorney to not

seeking mineral rights on the property and to enter an arrangement whereby the county will temporarily move the road to allow the underlying minerals to be mined, so long as same is accomplished via a coordinated mining plan;

8. That the circumstances relating to this specific property have made it necessary to take said property via a declaration of taking action authorized by O.C.G.A. §32-3-1 et seq. because (a) negotiations with the landowner to acquire the property voluntarily were unsuccessful; (b) in the interest of the community and the public, this road needs to be paved as soon as practicable, and the County's inability to acquire this property through negotiation to date has prevented the paving work from proceeding; and (c) the County desires to have a neutral arbiter determine an appropriate fair market value for the property so the landowner may be compensated fairly;
9. That the County has specifically authorized the condemnation of the property pursuant to O.C.G.A. §32-3-1 et seq.; and
10. That the County has requested an independent appraisal on the property, and said appraiser has returned a fair market value of \$15,500, which value includes all consequential damage but excludes the value of mineral rights, as demonstrated by the attached appraisal.

**NOW THEREFORE BE IT RESOLVED**, by the Board of Commissioners of Washington County that the County Attorney shall proceed with an action in Superior Court to exercise eminent domain powers over this tract and obtain it so that the county may implement its plan to pave and improve Kaolin Road.

Passed and Approved this the 9<sup>th</sup> day of May,  
2013.

  
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Horace Daniel, Chairman

Attest:

  
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Clerk