

MINUTES
PUBLIC MEETING
BARTOW COUNTY COMMISSIONER
June 3, 2009

Commissioner Brown opened the meeting and approved the following resolution:

- Resolution re-appointing Michael Garland to serve on the Bartow County Library Board
- Resolution re-appointing Kay House to the Bartow County Board of Family and Children Services
- Resolution re-appointing John Morgan to the Bartow County Board of Family and Children Services
- Resolution entering into an agreement with Reece Logging, Inc. for the collection and removal of wood waste from the Bartow County Landfill. Bartow County Solid Waste Director stated that this is a one-year contract for the removal of wood waste from the County's landfill. The contract will significantly extend the life of the landfill.
- Resolution entering into an intergovernmental agreement with the City of Cartersville regarding payment of Floodplain Mapping costs
- Resolution declaring certain county property surplus and authorizing its sale through GovDeals Internet Auction Service
- Resolution accepting Cassandra View (formerly known as Pork Center Road) in the Grand Oaks Development into the county road system.

Bartow County Zoning Administrator Ray Sullivan presented the June rezoning application for the Commissioner's decision.

CU-1827-09; a conditional use application by Verizon Wireless to allow for the location and operation of a 250 foot self-support telecommunications facility and related ground equipment on the subject property. This application was not heard by the planning commission. The application meets all the criteria required for a telecommunications facility. Commissioner Brown approved the application.

RZ-1825-09; an application by James Morgan requesting to rezone 4.6 acres on Bishop Road from A-1 to C-1 in order to get the highest and best use of the property. The planning commission recommended approval 6-0. Commissioner Brown approved the application.

RZ-1826-09; an application by Lloyd B. Taylor requesting to rezone 2.096 acres on Highway 61 from A-1 to C-1 in order to allow for a commercial development. The planning commission recommended approval with a vote of 6-0. Commissioner Brown approved the application.

ARZ-1828-09; an application by Douglas Jones requesting to amend the Future Land Use Map and rezone 22,500 sq. ft. of property located on Pine Street from Rural Estate to Commercial and from A-1 to C-1 in order to bring the property into compliance with its current use.

A-1829-09; a request by the Bartow County Planning and Zoning Department to amend certain sections of the zoning ordinance relating to inert landfills and commercial greenhouses. The planning commissioner recommended approval of the amendments with a vote of 6-0. Commissioner Brown approved the amendments as presented.

A-1830-09; a request by the Bartow County Planning and Zoning Department to amend certain sections of the Zoning Ordinance relating to firing ranges. The Planning Commissioner recommended denial of the amendment changes with a vote of 6-0. There were a number of registered speakers both for and against the amendment changes.

- 1) Mike Menkis of Marietta, Georgia spoke in opposition of the amendments, stating that the firing range operations are an asset to the community, bringing business to local restaurants, hotels, etc.
- 2) Ron Gibson of Cartersville also spoke in opposition to the amendments, stating that Steve Holloway, who has been in operation in Adairsville for 20 years, does not have the resources to bring his business into compliance with the recommended changes, which would force him to shut down.
- 3) Steve Dodson of Cartersville opposed the amendments, stating that safety is preached at all times at the Creekside Firing Range. The firing range is used by veterans, active duty military, law enforcement, boy scouts and 4-H. The firing range hosted a charity shoot on Memorial Day weekend and raised \$2500 for the family of a soldier that was killed in Iraq. Changing the zoning ordinance would be a challenge to the Firing Range Protection Act.
- 4) Bill Barrett of Taylorsville-Macedonia Road, Taylorsville, spoke in support of firing ranges and against the zoning amendments, stating that the bullets he and his family have witnessed around their home are not coming from the firing range but from private property and inexperienced shooters. A stray bullet traveled through his daughter's shower and two walls. He asked that the zoning ordinance not be changed.
- 5) Scott Vandiver of Inquest Training Academy in Cartersville stated that he trains security officers, peace officers, private investigators, FBI agents, etc. Creekside Firing Range is run professionally with an officer always present during live training. Mr. Vandiver stated that changing the ordinance would violate Code § 41-1-9 relating to shooting range noise and safety and Code § 16-11-151 relating to terrorist training.
- 6) Kim Raulerson of Applewood Farm Subdivision, Taylorsville, spoke in support of Mr. Harris and Mr. Holloway and against the zoning amendments, stating that hunters shoot on their own property on a regular basis, asking the question "How far do we go?". Creekside Firing Range has not had any negative effect on property values in the area, they have remained consistent.
- 7) Linnea Johnson of Taylorsville Road, Taylorsville, thanked Commissioner Brown and Mr. Sullivan for working with them and stated that it is obvious by the remarks made that she now has a military training camp in her backyard.
- 8) Mark Blaquiere of Taylorsville-Macedonia Road, Taylorsville, stated that he and the surrounding neighbors of Creekside Firing Range have no relief from the stress of hearing repetitive high caliber weapons every day. They cannot sit out in their yards and relax after work or on Sunday. They have to leave their homes to get any relief. It drives prospective home buyers away.

- 9) Rhonda Hendrix of Taylorsville Road, Taylorsville, stated that Cobb and Paulding County have a noise ordinance already in effect and that Floyd County is considering adopting one also. She added that the firing range has had a negative effect on her ability to rent out her rental property.
- 10) Doug Herndon of Old Alabama Road, Taylorsville stated that the Creekside Firing Range is a commercially operated business and the zoning ordinance and development regulations clearly state that commercially operated ventures are not allowed under the current zone.
- 11) Shon Parramore of Applewood Subdivision, Taylorsville, stated that his family was, at one time, the closest to the firing range and stated that he bought another home and moved away in order to get away from the noise and added that their lives have been taken from them. He and everyone else in the Taylorsville community have invested a large amount of money in their homes and properties and added that they were never given an opportunity to speak against this firing range before Mr. Harris was allowed to open.
- 12) Michael Patterson of Applewood Subdivision, Taylorsville, stated that he now has an enemy in his neighborhood and has been issued personal physical threats. He presented Commissioner Brown with a petition of approximately 100 signatures regarding the Creekside Firing Range and asked if there is some way to require the firing range to post and operate during reasonable hours and posting a public notice prior to military and police training.
- 13) Kevin Culver of Taylorsville Road, Taylorsville, stated that he is a 20-year resident and that most of the residents in the area have made a lifetime investment in their homes, properties and businesses and they now have consistent, non-stop noise for days at a time.
- 14) Karen McClure of a Cartersville address, stated that changing the zoning ordinance would force more people out of work and added that the proposed changes is only a widespread backdoor attempt at gun control. She has witnessed Mr. Harris asking those who violate the rules to leave. On the road in front of Creekside Firing Range, the shooting sounds like a staple gun. She presented Commissioner Brown with pictures she took at Creekside Firing Range of vandalism that was done to Mr. Harris' property on Tuesday night [the night prior to the Commissioner's public meeting].
- 15) Cindy Jones of Adair Drive, Taylorsville, invited anyone to come stand in her horse stall on a Saturday morning when machinegun fire is going off, adding that it is like a warzone when you walk out her back door. She and her family have heard birdshot raining down on the roof of their barn and the shooting does not stop at dark. Mr. Harris should have placed the firing range in the middle of his property rather than on the edge. She stated that those who are here in support of Creekside Firing Range but do not live in the area should not be considered as a part of this discussion.
- 16) Steve Holloway of Holloway Road, Adairsville, and owner of Adairsville Sport and Range stated that if the zoning ordinance was changed, and he was not given some kind of assistance in the proposed changes, his business would not be able to recover financially.
- 17) Lt. Craig Keller stated that the National Guard cannot always get access to firing ranges on base so they have used Creekside six times to conduct military training. Mr. Harris has never charged them to train there. He added that anything above 50 caliber is not allowed on the firing range. If the zoning regulations are changed, the county would be putting a highly decorated combat vet out of business.
- 18) Joe Harris stated that he has conformed to all laws. He added that according to the Georgia Rangers Act §41-1-9, noise from firing ranges cannot be considered a

nuisance and that county and city governments cannot change zoning ordinances in an attempt to stop these operations. Mr. Harris stated that if the zoning ordinance is changed as recommended, it would be almost impossible for him to stay in business. There are several private ranges in the county and posed the question, why is it okay for some but not for him. He is blamed for every gunshot that is heard in the area. There is shooting at nighttime only about five times a year, they never shoot past 10:00 p.m. or on Sunday mornings. He is planning to have the lead excavated from the banks later this year. The military teams that train there are protecting this country. He has children of his own that walk down his driveway and down to the firing range. He would never put his children in danger.

Commissioner Brown stated that he would need some time to consider everything that was said. He tabled the application until July 8th.

There was no further business. The meeting was adjourned.

Kathy Gill, County Clerk