

**REGULAR MONTHLY MEETING
PIKE COUNTY BOARD OF COMMISSIONERS**

The Pike County Board of Commissioners held its Regular Monthly Meeting on Wednesday, March 13, 2013 at 9:00 a.m. in the Commissioners Meeting Room, Courthouse Annex, at 79 Jackson Street, Zebulon. Chairman Briar Johnson convened the meeting, and Commissioners Carol Bass, Tamra Jarrett, Tommy Powers, and James Jenkins attended. County Manager Mike Phillips, County Attorney Rob Morton and County Clerk Jo Ann Wrye were also present. (O.C.G.A. § 50-14-1(e) (2))

1. CALL TO ORDER Chairman J. Briar Johnson

2. PLEDGE OF ALLEGIANCE..... Chairman J. Briar Johnson

3. APPROVAL OF THE AGENDA - (O.C.G A. 50-14-1 (e) (1))

Motion/Second by Commissioner Powers/Commissioner Jenkins to remove Robert E. Adams and Patricia Beckham from Public Comment per their request, motion carried 5-0.

Motion/second by Commissioner Jarrett/Commissioner Bass to approve agenda as amended, motion carried 5-0.

Motion/second by Commissioner Bass/Commissioner Jarrett to amend the agenda to change 8 b. to 8-h. and change 8-h to 8-i, motion carried 5-0.

4. APPROVAL OF THE MINUTES - (O.C.G.A.§ 50-14-1(e) (2))

Minutes of the Regular Monthly Meeting on Tuesday, February 26, 2013.

Motion/second by Commissioner Jarrett/Commissioner Commissioner Powers to approve as amended, motion carried 5-0.

5. INVITED GUESTS

a. Matt Bidwell to address the Board regarding healthcare benefits for the upcoming enrollment period.

Mr. Bidwell discussed the Healthcare Reform and how it will affect the county. He went over the individual and employer mandates as well as penalties and fees for each. For individuals to avoid penalties there are three options for health care in 2014: 1) Get coverage through their employer if available, 2) Buy an individual market plan through either the individual market exchange-Purchaser may be eligible for subsidy or the off-exchange market, 3) Go uninsured, pay penalty unless they qualify for an individual exemption. Starting in 2014 penalties for individuals who do not have a minimum amount of health coverage will be subject to the following penalties: 2014 – Greater of \$95 or 1% of taxable income, 2015 – Greater of \$325 or 2% of taxable income, 2016 – Greater of \$695 or 2.5% of taxable income, 2017- Annual adjustments according to inflation. To be eligible for subsidies for exchange plans only individuals must have incomes between 133% and 400% of federal poverty level (FPL) and not have access to minimum essential coverage through their employer or have access to coverage, but it is not affordable.

The employers who have 50 or more employees have the following options in 2014: 1) Offer health insurance that meets the minimum coverage definition and is affordable, 2) Offer some level of coverage that does not meet minimum requirements and pay the employer penalty, 3) Stop offering coverage and let employees buy through the Individual market and pay the employer penalty. It was noted that the employer mandate does not require employers to contribute to the premium (though not doing so would likely make the plan not affordable, putting the employer at risk for penalties) and the mandate does not require employers to offer spousal dependent coverage. The employer will pay fees that will go toward Patient-Centered Outcomes Research Institute to fund research on effectiveness, risks and benefits of medical treatment. The first year of the fee is \$1 per covered life per year, the second year the fee adjusts to \$2 per covered life and then it is indexed to national health expenditures thereafter until it ends in 2019. The estimated fee for Pike County for 2013 is \$193 which is payable on IRS form 720 as an excise tax. There are two other fees the employer will make and they are the Health Insurer Fee; this will assist in funding subsidies for individuals buying coverage. The estimated annual liability for Pike County is \$23,000 and will begin 2014. The other fee is for Transitional Reinsurance Contribution which is to assist in offsetting cost of high-risk individuals in the individual market. This fee is also to begin 2014 with an estimated amount for Pike County of \$14,475.

Mr. Bidwell reviewed with the Board where Pike County currently stands in regards to loss ratio in the last 7 months, stating that Pike County is doing extremely well by having a 65.17% loss ratio compared to the carrier target of 80%. He recommended to the Board that the County consider a financial incentive for employees to get their wellness checkups every year. This will be at no cost to the employee because all annual checkups, lab work, etc. are covered under the insurance plan. Mr. Bidwell explained if the employees get their annual checkups this could help keep claims down, which will help in lowering the cost of insurance premiums for the employees and the county. Mr. Bidwell stated he has submitted a proposal request for insurance to about half a dozen insurance carriers and three of those responded that because Pike County has had more than three insurance carriers in the past five years they were not

willing to offer a review for insurance this year. He said that other insurance carriers like to see at least a two year commitment with one insurance carrier. However, he said he expected to receive a renewal from Blue Cross/Blue Shield in the next couple of weeks and believes the increase will be in the low single percentage range.

The Board thanked Mr. Bidwell for the presentation.

6. REPORTS FROM COMMISSIONS, DEPARTMENTS, COMMITTEES, AUTHORITIES

- a. Monthly Reports submitted from County Departments and County Authorities, including a Revenue/Expenditure Statement for all departments, and a summary check register.

Motion/second by Commissioner Powers/Commissioner Jarrett to approve, motion carried 5-0.

- b. County Manager Report

- Update on County finances for the following funds/accounts:
General Fund \$2,654,190.76
Jury Account..... \$0.00
Cash Reserve Account..... \$176,403.70
Jail Fund \$22,079.94
E-911 Fund \$146,525.04
DATE Fund \$17,119.50
PC L.M.I. Grant..... \$315,309.41
Juvenile Court Fund..... \$24,853.94
Residential Impact Fees..... \$283,567.73
Commercial Impact Fees \$7,776.21
General Obligation SPLOST Tax Bond Sinking Fund, 2011 \$467,171.69

- c. County Manager Comments

- Courthouse renovation update.

Mr. Phillips stated we are in the very final stages with 2 minor items left on the punch list, which will be taken care of almost immediately.

- Renovation payments, what is coming in, what is left.

Mr. Phillips talked about the recent SPLOST money and whether or not that is down, he reminded the Board the money is received a month behind. The money received recently would be for January and they were down a little bit, but receipts for December were up significantly due to the holidays. Mr. Phillips stated if you added the two together, they added up to the \$90,000 that has been received for some time now. He feels like we are in good shape and able to take care of the SPLOST payment.

- Furniture needs of the Courthouse.

Mr. Phillips stated that the Board had some items in front of them from Superior Court Clerk, Carolyn Williams. He advised the Registrar’s office is also going to present a list for furniture needs as well. He relayed that something has come up recently related to benches needed for the Sheriff’s cells in the Courthouse, so they could have some where to sit the prisoners and secure them to the bench while waiting on hearings. This will probably come up at the next meeting.

- Contingency expenses. **None**
- Update on any pertinent departmental issues.

The County Extension office is in the process of getting the office checked for mold and will also test the Tax Assessor’s office as well.

- Animal Control Workshop

No date has been set at this point. Mr. Phillips recommended having the workshop in the evening so local groups can attend and maybe follow up with a Saturday workshop.

- Discuss purchase of Time Clocks.

Mr. Phillips stated there was a wide variety of time clocks on the market, but recommended we stay with the type we have in the Public Works Department.

- d. Commissioner Reports.

District 1 – Commissioner Bass – Commended Cindy Foster from the Tax Assessors office for making notes on her financial reports. Commissioner Bass stated this is a big help to our financial people and it lets her know that the Tax Assessor’s office takes the money the Board gives them seriously and looking how their money is being spent. She said she would like for all departments to do that as well. She stated not all departments submitted reports and requested Mr. Phillips work with those departments to make sure they get the reports from all

departments including the Vehicle Use Logs. Commissioner Bass inquired about the status of the reimbursement for overpayment of insurance for the vehicle used by the Recreation Department. Mr. Phillips advised her that since the vehicle belongs to the county the reimbursement will go to the Recreation Department and recommended the Board to consider transferring this vehicle to the Recreation Department. Commissioner Bass reported on the inventory stating the Commissioner's Office, Tax Assessor's Office, Registrar's Office, Probate Office and Planning and Zoning Office have been completed. She stated over 450 items have been given an asset tag. Commissioner Bass said the amount of involvement from these departments has been phenomenal and the employees have been wonderful in accepting us in and helping with the process. She really appreciates all the efforts the county employees have displayed in helping with this process.

District 2 – Commissioner Jarrett – Wanted to let the public know that we are on the right path to getting the furniture for the Courthouse resolved. She wanted to thank all the people involved in helping get this done. Commissioner Jarrett stated she attended a meeting concerning Broadband and relayed there was a lot of good information. She stated that information is available for us to be able to find out about our county and where broadband exists. One of the experts that was at the meeting said he could help her get that information and she is going to work on that with him.

District 3 – Commissioner Powers – None

District 4 – Commissioner Jenkins – Requested Todd Goolsby check the roads for the Tour de Pike route and make sure potholes are taken care of.

At-Large – Chairman Johnson – He attended the IDA meeting the other day and they have requested all the Commissioners to go to the Resource Center in Atlanta to hear discussion from companies that may want to open a business in Georgia. Atlanta Gas Light, Georgia Power, etc. will answer questions about what amenities are available in areas to support business needs such as infra structure. The Commissioners can get an idea of how Pike County stands in regards to other counties in this area.

- e. County Attorney Report to Commissioners.

Rob Morton wanted to follow up on the meeting with the Recreation Authority to discuss the issue of the insurance reimbursement and stated an email was sent to confirm we were requesting the refund go to the Pike County Recreation Authority. He has not seen a confirmation of that since, but knows the email was sent. Rob stated they are in the process of the annual code update and believes a hearing before the Planning and Zoning Board relating to the maps and code update will be Thursday night, March 14, 2013.

7. UNFINISHED BUSINESS

- a. Discuss and/or approve/deny second reading of the General Property Damage Reporting Procedure Ordinance.

Motion/second by Commissioner Jenkins/Commissioner Jarrett to approve, motion carried 5-0.

2013 GENERAL PROPERTY DAMAGE REPORTING PROCEDURE ORDINANCE; INTENDED TO AMEND THE CODE OF PIKE COUNTY, GEORGIA TO PROVIDE REGULATIONS FOR THE REPORTING OF DAMAGE TO PROPERTY OWNED BY PIKE COUNTY; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the Pike County Board of Commissioners desires that the Code of Ordinances, Pike County, Georgia, be amended by adding Section 35.11 entitled "2013 GENERAL PROPERTY DAMAGE REPORTING PROCEDURE ORDINANCE"; and, to repeal conflicting ordinances, resolutions or regulations, to provide for severability, to fix an effective date, and for other lawful purposes;

WHEREAS, the Pike County Board of Commissioners is empowered by the Constitution of the State of Georgia, including but not limited to, those police powers intended to ensure the health, safety and welfare of the general public of Pike County, Georgia; as well as being further empowered by the laws of the State of Georgia to enact local legislation, resolutions and/or ordinances;

WHEREAS, the Board of Commissioners desires to provide regulations regarding the reporting of damage to county owned property; and,

WHEREFORE, BE IT ORDAINED BY the Board of Commissioners of Pike County that the Code of Pike County, Georgia, specifically Title III, Chapter 35, shall be amended to add Section 35.11 entitled "2103 General Property Damage Reporting Procedure Ordinance", which is set forth below as follows:

§35.11 GENERAL PROPERTY DAMAGE REPORTING PROCEDURE ORDINANCE

(A) Purpose.

This policy is intended to provide reasonable reporting procedures when property owned by Pike County should be damaged, to ensure cost effective use of county property, to enhance the county services to the public, to ensure the health and safety of the citizens of the county, and to ensure the appropriate use of county owned property for the purpose of maintaining the trust of the public.

(B) General Property Damage Reporting Procedures.

When there is damage to any county owned property, the damage shall be immediately reported to the appropriate supervisor/department head, Constitutional Officer or other county related officials. The county manager shall also be notified by the supervisor/department head, Constitutional Officer or other county related official. The county manager will be responsible to notify the Board of Commissioners regarding the damaged property within 24 hours of receiving notice of said damage.

It is intended that this section shall apply to all county owned property in addition to county owned vehicles that are addressed in Section 35.03 above.

(C) Violations and Penalties.

Any person who fails to adhere to any provision of this section as it exists, or as it may hereafter be amended, shall be deemed to be in violation of this section and having committed a county ordinance violation. Citations may be issued against any violator of this section and may be prosecuted in the same manner as any other county ordinance violation in the Magistrate Court of Pike County, Georgia. The maximum penalty for each offense shall be as set forth by state law in OCGA § 15-10-60, as it now exists or as it may hereafter be amended. Each violation of this ordinance may constitute a separate offense. Prosecution of an offense as a county ordinance violation will not prohibit the county from taking administrative action as may be deemed appropriate, which may include but is not limited to disciplinary action and/or termination pursuant to the county's personnel policies.

(D) Repealer.

Any ordinance, resolution or regulation, or portion thereof, in conflict with this section shall be hereby repealed.

(E) Severability.

Any provision of this section that may be deemed void, unconstitutional or otherwise prohibited by law shall be deemed severed from the remaining lawful provisions of this section.

(F) Effective Date.

This Ordinance shall become effective after the second reading and approval by the Board of Commissioners.

(Ord. passed 3-13-2013)

SO ORDAINED BY THE PIKE COUNTY BOARD OF COMMISSIONERS BY:

J. Briar Johnson, Chairman (L.S.)

Attested by:

JoAnn Wrye, County Clerk (L.S.)

- b. Discuss and/or approve/deny second reading of the Vehicle Use Policy.

Requested changes as follows: Page one – at the bottom change to “or agent authorized by county”, Page 2, Paragraph “C”, “Vehicle Use Log shall be turned in each month and Page 3, Paragraph 3, Subparagraph “C”, modify to one chargeable vehicle accident, Page 4, Paragraph “E”, reference to the above section will be corrected to 1-16.

Motion/second to approve with amended corrections by Commissioner Bass/Commissioner Powers, motion carried 4-1 with Chairman Johnson opposing.

Motion/second by Commissioner Powers/Commissioner Jarrett to authorize the Chairman to sign the ordinance once changes are made, motion carried 5-0.

2013 REVISION TO THE VEHICLE USE AND OPERATION ORDINANCE;

**INTENDED TO AMEND THE CODE OF PIKE COUNTY, GEORGIA
TO PROVIDE REGULATIONS FOR THE USE AND OPERATION OF
COUNTY VEHICLES OR VEHICLES USED FOR COUNTY PURPOSES;
AND FOR OTHER LAWFUL PURPOSES.**

WHEREAS, the Pike County Board of Commissioners desires that the Code of Ordinances, Pike County, Georgia, be amended by repealing Section 35.03 entitled “VEHICLE USE AND OPERATION ORDINANCE” and replacing the entire ordinance with the revised Section 35.03 entitled “VEHICLE USE AND OPERATION ORDINANCE; and, to further repeal conflicting ordinances, resolutions and/or regulations, to provide for severability, to fix an effective date, and for other lawful purposes;

WHEREAS, the Pike County Board of Commissioners is empowered by the Constitution of the State of Georgia, including but not limited to, those police powers intended to ensure the health, safety and welfare of the general public of Pike County, Georgia; as well as being further empowered by the laws of the State of Georgia to enact local legislation, resolutions and/or ordinances;

WHEREAS, Chapter 35 Section 35.03 of The Code of Pike County, Georgia was adopted on December 14, 1994 and then previously amended on December 9, 2009;

WHEREAS, the Board of Commissioners desires to revise these regulations to include vehicle use logs and other modifications; and,

WHEREFORE, BE IT ORDAINED BY the Board of Commissioners of Pike County that the Code of Pike County, Georgia shall be amended to repeal the existing Chapter 35 Section 35.03 and replace it with the “2013 Revision to the Vehicle Use and Operation Ordinance”, which is set forth below as follows:

§35.03 VEHICLE USE AND OPERATION ORDINANCE

(A) Purpose.

This policy is intended to regulate the use of county owned vehicles to ensure cost effective use of county vehicles, to enhance the county services to the public, to ensure the health and safety of the citizens of the county, and to ensure the appropriate use of county owned vehicles for the purposes of maintaining the trust of the public.

(B) Authorized Use of County Vehicles.

(1) Vehicles owned by Pike County shall only be used in connection with the official business of Pike County. County officials, employees, and authorized agents and/or guests may use a county owned vehicle for transportation related to their respective official duties or for the attendance of public activities or functions for which the official, employee, or agent authorized by the county may be required or authorized to attend by virtue of or in connection with county related business or functions. The use of county owned vehicles for any use other than county business is strictly prohibited unless otherwise specifically provided for herein.

(2) Authorized users of Pike County vehicles are intended to include those persons or entities that are contracted by the county to perform official county business.

(3) For all persons other than Pike County officials and employees who may be authorized to operate a county vehicle for county related business or to attend a county related function, said persons shall be required to provide the county with an up-to-date driver’s history and will be subject to a criminal background check. Said persons shall cooperate with the provision of their driver’s history and criminal background check prior to driving any county vehicle; whereby, such cooperation may require the execution of written authorizations to obtain the history and/or conduct the background check.

(4) County vehicles may be used in connection with obtaining meals when:

(a) the authorized user of the vehicle is out of town in connection with official county business and/or attending an authorized event; and/or,

(b) the authorized user of the vehicle is in town, is entitled to a meal during the course of duty or official act, and having to obtain his/her personal vehicle for the purposes of traveling to get the meal would result in the unnecessary expenditure of county fuel.

(C) Requirement for Vehicle Use Logs.

Pike County requires that a vehicle use log be maintained for all county owned vehicles, except as provided for herein. The vehicle use log shall be kept with the vehicle and will indicate the date and time the vehicle was taken and returned, the original mileage and the mileage upon return, the purpose of the vehicle use, and the county employee, official or authorized person using the county vehicle. The vehicle use log shall be turned in each month and submitted to the Board of Commissioners as part of the monthly reports. This vehicle use log requirement shall not apply to vehicles operated by the Sheriff's Office since the operation of vehicles in connection with the Sheriff's Office is governed by the policies of the Sheriff.

(D) Other Requirements Related to Driving County Vehicles.

- (1) The operator of a county owned vehicle must have a valid driver's license on their person at all times as required by state law. The valid driver's license shall be for the proper class necessary to operate the vehicle to be driven. For example, if the vehicle driven requires a Commercial Driver's License (CDL), the operator must have and possess a valid CDL license before operating said vehicle.
- (2) Drivers must be at least eighteen (18) years of age.
- (3) Drivers must maintain a good driving record to operate county vehicles. A "good driving record" at a minimum shall be defined as follows:
 - (a) No convictions of Driving Under the Influence of Drugs or Alcohol (DUI) within the past five (5) years;
 - (b) No convictions of vehicular homicide, hit and run, racing, and/or careless/reckless driving within the past five (5) years;
 - (c) No more than one (1) chargeable vehicle accident within the past twelve (12) months;
 - (d) No revocations, withdrawals or suspensions of their respective driver's license, or class of said license within the past three (3) years.
- (4) Drivers of Pike County vehicles may be placed on probation from driving county vehicles as a condition of their employment. If such probation occurs, said driver must complete a remedial or defensive driving course at their own expense before the probation is lifted and the driver is authorized to operate county vehicles.
- (5) *The operator of a county vehicle has the responsibility to check all equipment of the vehicle to be operated to ensure compliance with all applicable state law. No vehicle shall be operated with any controlling part, such as the steering mechanism, brakes, lights, horn or windshield wiper, not in proper working condition. Vehicles that are not in good mechanical working condition shall not be operated. When any county owned vehicle is not in good working condition, it shall be reported to the appropriate supervisor, department head and county manager.*
- (6) Drivers must comply with all local and state laws governing the operation of vehicles.
- (7) Vehicles are to be driven in a manner such as to create a favorable impression to the public.
- (8) A licensed operator is expected to stay informed regarding current regulations; and, shall periodically review publications concerning equipment operation and the "Rules of the Road".
- (9) All drivers are cautioned to devote their full attention to their driving. Many vehicle accidents can be attributed to driver distraction.
- (10) All drivers must give the right of way to emergency vehicles as required by the Georgia "Move-Over" Law.
- (11) Flasher lights on trucks, cars, and equipment shall be used only as emergency or work conditions require. Flasher lights are not to be used as an excuse to gain the right of way or to violate traffic rules, since such lights are intended for the protection of the employees and work areas and as a warning device for pedestrians and vehicular traffic.
- (12) Keep windshields and door windows clean for good visibility.
- (13) Check and inspect the area to the rear of any vehicle before moving in reverse.
- (14) Any person outside of the vehicle directing the driver must remain on the ground near the front or rear side of the vehicle so as to be in the full view of the driver. Hand signals should be used by the person when directing the driver.

(15) Any driver shall not leave the vehicle unattended with the motor running.

(16) The operator and passengers must use “hand holds” or other similar devices when entering or exiting larger vehicles.

(E) Driving of Personal Vehicles for Official County Business.

Any and all operators who use their personal vehicles to conduct official Pike County business must adhere to the same regulations as stated herein, including but not limited to (D) 1-16 above.

(F) Personal Use of County Vehicles Prohibited Unless Specifically Authorized.

(1) Pike County vehicles shall not be used for personal use unless specifically authorized.

Any authorization for personal use of a Pike County vehicle(s) shall be in writing and executed by the County Manager. The signed authorization must provide the specific details justifying the personal use. Copies of these authorizations will be maintained in the employee’s personnel file.

(2) Pike County vehicles must be available for county business purposes at all times unless said vehicle(s) is/are out of service.

(G) Authorized Passengers Only.

(1) The transportation of passengers is limited to county officials, employees, and authorized agents. Passengers other than county officials and employees may be authorized if said passengers are participating in county related business or attending authorized functions; or, when said passenger(s) is/are otherwise required to be transported by the county in connection with county business. Officials and staff of the state or other local governments may also be transported in county vehicles in connection with county related business or when joining Pike County officials or employees in attending authorized events.

(2) Hitch-hikers are strictly prohibited in county vehicles.

(H) Accident Reporting Procedures.

(1) When a county vehicle or a personal vehicle being used for county purposes is involved in an accident, the driver's first duty is to stop the vehicle and contact local law enforcement. All laws related to remaining at the scene of the accident and reporting the accidents must be followed.

(2) The driver shall then contact the appropriate supervisor/department head, Constitutional Officer or other county related officials regarding the accident, unless the driver is injured in the accident to the extent the driver is not able to make such contact. The county manager shall also be notified either by the driver or by the supervisor/department head, Constitutional Officer or other county related official. The county manager will be responsible to notify the Board of Commissioners regarding the accident within 24 hours of receiving notice of the accident.

(3) All drivers of county vehicles, or personal vehicles used for county purposes, who are involved in an accident shall be subject to drug testing. The appropriate supervisor, department head or county manager shall ensure the driver is tested. This provision for the testing of a driver after an accident is intended to be implemented in conjunction with the County’s Drug, Alcohol and Substance Abuse Policy.

(4) All drivers of county vehicles, or personal vehicles used for county purposes, and all authorized passengers shall cooperate with law enforcement regarding the investigation of an accident. Pike County officials or employees shall refrain from making statements regarding the accident to anyone other than investigating law enforcement, appropriate Pike County officials, and/or their insurance company representatives in the event the accident involved a personal vehicle being used for county purposes. Moreover, all statements made to law enforcement and insurance representative should be limited to factual observations and shall not include opinions. Moreover, county officials and employees should refrain from making any statements or promises related to the settlement of any damages related to the accident.

(5) All drivers and passengers described above shall provide the county manager with a written statement related to the accident.

(6) When defective equipment may be involved, the equipment shall be secured and/or

Minute Book 39, March 13, 2013, Page 7 of 10

photographed immediately. The equipment if detached from the vehicle or the photographs shall be delivered to the appropriate supervisor, department head or county manager and maintained as part of the county's accident investigation in question.

(I) Damaged Property Reporting Procedures.

When there is damage to any county owned vehicle whether or not resulting from an accident, the damage shall be immediately reported to the appropriate supervisor/department head, Constitutional Officer or other county related officials. The county manager shall also be notified by the supervisor/department head, Constitutional Officer or other county related official. The county manager will be responsible to notify the Board of Commissioners regarding the accident within 24 hours of receiving notice of the accident.

(J) Violations and Penalties.

Any person who fails to adhere to any provision of this section as it exists, or as it may hereafter be amended, shall be deemed to be in violation of this section and having committed a county ordinance violation. Citations may be issued against any violator of this section and may be prosecuted in the same manner as any other county ordinance violation in the Magistrate Court of Pike County, Georgia. The maximum penalty for each offense shall be as set forth by state law in OCGA § 15-10-60, as it now exists or as it may hereafter be amended. Each violation of this ordinance may constitute a separate offense. Prosecution of an offense as a county ordinance violation will not prohibit the county from taking administrative action as may be deemed appropriate, which may include but is not limited to disciplinary action and/or termination pursuant to the county's personnel policies.

(K) Repealer.

Any ordinance, resolution or regulation, or portion thereof, in conflict with this section shall be hereby repealed.

(L) Severability.

Any provision of this section that may be deemed void, unconstitutional or otherwise prohibited by law shall be deemed severed from the remaining lawful provisions of this section.

(M) Effective Date.

This Ordinance shall become effective after the second reading and approval by the Board of Commissioners.

(Res. passed 12-14-94)(Amd. Ord. 12-09-09)(Amd. Ord. 3-13-2013)

SO ORDAINED BY THE PIKE COUNTY BOARD OF COMMISSIONERS BY:

J. Briar Johnson, Chairman (L.S.)

Attested by:

JoAnn Wrye, County Clerk (L.S.)

8. NEW BUSINESS

- a. Discuss and/or approve/deny landscaping of Courthouse.

Motion/second by Commissioner Jarrett/Commissioner Powers to allow Larry Lynch to address the Board regarding the landscaping of the Courthouse, motion carried 5-0.

Mr. Lynch noted to the Board he looked after the counties funding from the Nelson Memorial Foundation and explained money from the establishment is divided among the cities of Pike County. The money he gets from the foundation is to be spent on landscaping and he had his landscaping engineer to design a plan for what would look good around the Courthouse. He wanted to get approval from the Board so they can begin landscaping around the Courthouse. Commissioner Jarrett had a concern about the landscaping being so full and interfering with events that happen on the Courthouse grounds. Mr. Lynch advised the landscaping was inside the walkway and would not interfere with the grounds or use of the grounds around the Courthouse. Chairman Johnson inquired about who would be responsible for the up keep of the plants and was advised by Mr. Lynch there was an agreement with the county that the county would maintain the plants. Mr. Lynch also stated it was about a \$30,000 project and

wanted the county to keep the quality of the plants up. It was suggested that the Road Department maintain the plants, but Mr. Phillips stated they do not have skilled landscaping people and will be very limited in the maintenance. Mr. Lynch said all we had to do is water the plants and keep it clean. Commissioner Jenkins relayed that he talked with the Sheriff about the possibility of using the inmates to maintain the plants and was told by the Sheriff he was open to discuss that with the Board and sounded like a good idea. Commissioner Bass stated she appreciated Commissioner Jenkins for thinking outside of the box, which seems to have solved a problem with landscaping maintenance for the Courthouse.

Motion/second by Commissioner Bass/Commissioner Powers to approve, motion carried 5-0.

- b. **PUBLIC HEARING** – Sunny D Farms, LLC (Mark and Diane Martin), property owners and applicants, are requesting a special exception in an A-R zoned district to allow for event planning on their property, more specifically the rental of an existing barn for weddings. The property, located at 1412 Hutchinson Road, has approximately 1018 feet of frontage along the east side of Hutchinson Road and approximately 1284 feet of frontage along the north side of Jonathan's Roost Road. The property is located in Land Lot 125 of the 1st District of Pike County, Georgia. Said property consists of 24.16 acres and is further identified as Tax Map Parcel #049010.

Speakers for the Special Exception: Trudy Gill, Dottie Johnson, Jackie Stevens, Jim Woodall

Speakers against the Special Exception: Mr. Moody

ACTION: Approve/deny Special Exception request

Motion/second by Commissioner Bass/Commissioner Jenkins to follow the recommendation from the Staff of Planning and Development and the Board of Appeals to approve with the conditions of the following: 1. A business license will be required, 2. Any signs associated with the special event will comply with the County Sign Ordinance, 3. Events must comply with the County Litter Ordinance, motion carried 4-1 with Commissioner Jarrett opposing.

- d. Approve/deny transfer of 1970 Ford Fire Truck back to the City of Zebulon.

Motion/second by Commissioner Jarrett/Commissioner Powers to approve, motion carried 5-0.

- e. Consider application for use of Courthouse/Grounds from the Pike County Middle/High School to sell Krispy Kreme Donuts on Saturday, April 6, 2013 from 7:30 a.m. – 11:00 a.m. or until all boxes are sold.

Motion/second by Commissioner Bass/Commissioner Jenkins to approve, motion carried 5-0.

- f. Consider application for use of Courthouse/Grounds from the Pike County Travel Club to sell Krispy Kreme Donuts on Saturday, April 13, 2013 from 7:30 a.m. – 11:00 a.m. or until all boxes are sold.

Motion/second by Commissioner Powers/Commissioner Jarrett to approve, motion carried 5-0.

- g. Approve/deny Resolution to approve the contract from Superior Court, Griffin Judicial Circuit.

Motion/second by Commissioner Jenkins/Commissioner Bass to approve, motion carried 5-0.

Motion/second by Commissioner Bass/Commissioner Powers to recess regular session to go and do a walkthrough of the Courthouse, motion carried 5-0.

Motion/second by Commissioner Jarrett/Commissioner Jenkins to enter into regular session, motion carried 5-0.

- h. Approve/deny final payment requests concerning the Pike County Courthouse Renovation Project.

Motion/second by Commissioner Jarrett/Commissioner Powers to approve \$145,058.10 to the contractor and \$3,407.03 to the architect, motion carried 5-0.

- i. Approve/deny Courthouse furniture purchase.

Based on information received after court was held, the Board may need to consider raising the area where the court reporter sits because the Judge stated he could not see the court reporter. After discussion and concern of the desk for the court reporter, it was requested the desk provided in the list from Carolyn Williams with the list price of \$1,501.44 be excluded (item#6). This will bring the price of the furniture requested for the Courtroom from \$10,035.98 to \$8,534.54.

Mr. Bass questioned since the furniture being purchased is a little pricey, if the furniture was made in America? Commissioner Jenkins stated that the gentlemen that owned the company said the furniture was made in Michigan. Commissioner Jenkins said he did not know if the chairs were made in America, but the furniture was.

Motion/second by Commissioner Powers/Commissioner Jarrett to approve, motion carried 5-0.

Commissioner Bass stated that she wanted to be abundantly clear in that we have to get the court report up where the Judge can see her, we do not need to drag our feet on this and get it done. She would like for Todd to move post haste if possible.

Rob Morton advised the Board there was a request made regarding benches for the cells in the Courtroom that have the inserts to attach handcuffs. The price for that is being investigated and will be provided to the County Manager.

Todd Goolsby addressed the Board per their request and stated he believed his department could build a closed platform area with a built in desk for the court reporter and it would match what was in there. He advised the Board he would get them a price and believes he can build it for less than \$2,000.

9. PUBLIC COMMENT- (Limited to 5 minutes per person) – None

10. EXECUTIVE SESSION - None

11. ADJOURNMENT

Motion/second by Commissioner Powers/Commissioner Jarrett to adjourn, motion carried 5-0.

Chairman, Briar Johnson

County Clerk, Jo Ann Wrye