

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

The Pike County Board of Commissioners held its Regular Monthly Meeting on Wednesday, April 10, 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 Tom 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))**

Request by Chairman Johnson to amend the agenda to remove Parrish Swift, per his request, from the agenda, Item 9 a.

Motion/second by Commissioner Powers/Commissioner Jarrett to approve agenda as amended.  
Motion carried 4-0, Commissioner Jenkins not in attendance.

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

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

Motion/second by Commissioner Bass/Commissioner Jarrett to approve, motion carried 4-0.

5. **INVITED GUESTS**

- a. Don Brown, Chairman of the Democratic Party of Pike County, to present to the Board a resolution signed by the Democratic Party regarding privatization of county functions.

Mr. Brown addressed the Board regarding the presentation from a representative from Safebuilt on or about February 26, 2013 to talk about privatization of the Planning and Development Department. He stated this was deeply troubling to the members of the Democratic Party of Pike County and accordingly have a Resolution which was unanimously passed. He relayed that this privatization proposal would make it cheaper to operate the county, but noted the purpose of government was to make our lives better, to affect our safety and happiness, not to make our lives cheaper. He explained, by this resolution the Democrats of Pike County choose to provide a job for citizens rather than profit for a corporation, they choose to have a fellow citizen deciding was is safe and proper rather than a corporation that will put profit before prudence. He stated we cannot bring jobs to Pike County by outsourcing, not cut our way to prosperity. He noted that trickledown economics does not work, lets try a little trickle up, keep this job in the County. Make this job a good job, a job that will buy a home and feed a family, a Pike County family. Mr. Brown thanked the Board for allowing him to speak and asked if there were any questions.

Commissioner Bass stated she understands that he is deeply troubled by outsourcing and wanted to know how felt about Turner Tech, the County Attorney, Trailer Business and other places we outsource because we do not have the funding without increasing taxes to supply these needs. Mr. Brown replied that he was troubled about outsourcing only this particular job at this time. Commissioner Bass relayed that if we did away with the outsources we currently have, we would increase the tax burden on the citizens. She asked if the Democratic party is proposing that the County do away with the outsources that we have and hire people to do the job strictly for the County and Mr. Brown answered no they did not.

Chairman Johnson asked confirmation of Mr. Brown that the resolution was only pertaining to the Planning and Development Department and that any other department would be addressed down the road. Mr. Brown said that was correct.

The Board thanked Mr. Brown for his presentation.

**Resolution Opposing Privatization of  
Pike County Planning & Development Department**

**Whereas**, the Democratic Party of Pike County opposes most privatization of government services;

**Whereas**, the Democratic party of Pike County opposes the privatization of inherently governmental services such as enforcement of codes, regulations and laws;

**Whereas**, the Democratic Party of Pike County believes Pike County should be the model employer of the county, providing good jobs with adequate wages and benefits to attract the talent needed for the effective administration of the County's duties;

**Resolved:** The Democratic Party of Pike County opposes the privatization of the Pike County Planning & Development Department.

- Don Brown – Chairman (L.S.)
- Jim Formby – Vice Chairman ( L.S.)
- Darlene Brown – Treasurer (L.S.)
- Chris Curry – Secretary (L.S.)

**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.

**Mr. Phillips said that most of the reports are included, however, a couple of items are missing; he stated we are communicating with those departments to try and get all the reports included on a regular basis. Commissioner Bass asked if they would have those reports at the next daytime meeting and Mr. Phillips stated we would hope so. Commissioner Bass asked if he had contacted the departments she requested him to contact and Mr. Phillips explained that an email was sent out to all of the departments which included a copy of the Vehicle Use Policy so that everyone would have the same information. Commissioner Bass stated, as she did in her email, that it is unacceptable to have some departments follow procedure and some not and would like to have the missing reports included in the next night meeting.**

**Motion/second by Commissioner Powers/Commissioner Jarrett to approve reports, motion carried 3-1 with Commissioner Bass opposing due to all reports are not included.**

- b. County Manager Report

- Update on County finances for the following funds/accounts:

General Fund .....	\$2,522,229.58
Jury Account.....	\$0.00
Cash Reserve Account.....	\$176,410.46
Jail Fund .....	\$23,251.38
E-911 Fund .....	\$153,636.36
DATE Fund .....	\$17,307.92
PC L.M.I. Grant.....	\$315,321.50
Juvenile Court Fund.....	\$24,889.89
Residential Impact Fees .....	\$283,509.14
Commercial Impact Fees .....	\$8,202.86
General Obligation SPLOST Tax Bond Sinking Fund, 2011 .....	\$334,050.62

**Commissioner Jenkins entered meeting.**

- c. County Manager Comments

- Courthouse renovation update. **Most of the renovation has been taken care of. Sandi Chamblin is present to talk about furniture needs in her department. Sandi addressed the Board regarding additional furniture she is requesting for her office. She told the Board that most of the furniture in her office was broken; an example was the leg on her desk was broken. Commissioner Bass asked Sandi if she was previously approved for \$2,796.00 for furniture and Sandi advised that was correct. Commissioner Bass noted that the additional amount Sandi was asking for was \$3,938.00 to purchase the furniture and Sandi agreed.**
- Update on any pertinent departmental issues. **Mr. Phillips said a concern has been brought up about whether or not the County has an ADA Compliance Officer. He spoke with David Allen regarding this and David is willing to serve on a temporary basis as the ADA Compliance Officer. Mr. Phillips stated we will try and put this in front of the Board at the next meeting to let them confirm an ADA Compliance Officer for the County. He noted this does not affect us at this point, but does affect other counties. Mr. Phillips stated he did not know that we had to have one and that is still questionable. He felt that we needed to cover it unofficially at this point.**

**Mr. Phillips stated the other issue he wanted to address was the employee health insurance information and relayed that it was part of the Commissioner's budget packets. He noted that it is anticipated the cost of the health insurance for the coming year utilizing the current situation, that the cost will increase. He stated the Board will need to view this information and act on this before the end of the month so the employees can be notified of the potential change 60 days before it is to take place.**

- d. Commissioner Reports.

**District 1 – Carol Commissioner Bass – Stated she had already addressed the issue of receiving reports from all of the departments. She noted that all they were recognizing when they get the reports is what they do with the money and since the County gives them money it would be nice to know what they are doing with it. Commissioner Bass inquired about the status of the mold issue in Helen Carter's office. Mr. Phillips explained the information received so far does not say there is a problem with the mold, but indicates there is a problem with the moisture in that area; and relayed Todd Goolsby in looking into that. Mr. Phillips stated there is about a 16**

page detailed report about mold in general but it does not indicate there is a problem with mold in that office nor in the Tax Assessor's office. Commissioner Bass stated there was an issue that came out this week regarding per diem checks that made her think of another issue. She said that when employees attend training they are given a \$40 per diem, per day in which if they are gone for three days they are given \$120. Commissioner Bass noted that when the Commissioners go to training they are usually fed Breakfast, Lunch, Dinner and a snack in between and they do not take the per diem or give their per diem back. She stated the County does not ask for any receipts for back up from the employees, the money is per diem because they do not have to account for it. This is income that needs to be included on their W-2 forms and we really do not want to start adding who got a per diem check and put it on their W-2 forms. She thinks it would be better for the employee to pay for their meals up front and bring back receipts, up to \$40 per day. Commissioner Powers said that this started two years ago, when he came into office you paid everything up front and brought back your mileage and food receipts to be reimbursed. Chairman Johnson stated he was surprised when he learned the County gave employees \$40 per diem up front. He said when he and Commissioner Jenkins went to training that Commissioner Jenkins did not take the per diem and Chairman Johnson did not realize what was going on until the check was cut. Chairman Johnson stated he gave the per diem back. He said he operated his business on receipts. Commissioner Bass reiterated that her and Commissioner Jarrett did the same thing, they only took what they had receipts for. Commissioner Bass questioned if the agenda needed to be amended to change this practice and was informed by Mr. Tom Morton, County Attorney that it would need to be amended. Commissioner Bass also wanted to discuss section 36.15 of the County Ordinance Book which is about accrued vacation pay being paid out when employees leave. She would like to see the County Attorney prepare language that would protect the County from employees accruing a lot of vacation. Also there is an ordinance which allows employees to transfer accrued time to their 457 retirement program, however, the next sentence states "No pay in lieu of vacation will be made; in order to receive vacation pay; the employee must actually take the vacation." This creates a conflict and needs to be addressed.

Motion/second by Commissioner Bass/Commissioner Jenkins to include the discussion of the Per Diem, Vacation Payout and employees contributing to 457 Retirement Program with accrued vacation. Motion carried 5-0.

Motion/second by Commissioner Bass/Commissioner Jenkins to allow the County Attorney to bring to the Board recommendation to adjust the Per Diem, Vacation Payout and employees contributing to 457 Retirement Program with accrued vacation, possibly at the next meeting. Motion carried 5-0.

Commissioner Bass stated she would like to follow our ordinance and start the Employee of the Quarter again. She said it is \$250 per quarter which comes out to a \$1000 per year, which is not a lot of money but means a lot to the person who gets it. The ordinance requires this be done in the first meeting in May and she noted we have some really good employees and we need this.

Commissioner Jarrett commented that if we are going to do this she wants it to be fair and for everyone to have a chance. She was advised that the department heads would submit names of candidates to the County Manager for review and recommendation for selection by the Board. Commissioner Bass recommended it be put in the budget for next year.

District 2 – Commissioner Jarrett – She stated she attended CoCo's Cupboard Spring Fling on Saturday as well as Commissioner Jenkins and Chairman Johnson. She wanted to applaud them for their community service, that it was a really nice event. Commissioner Jarrett wanted to bring another issue of conflict regarding our ordinance and that is in the Table of Contents, it references Section 30 and 30.03 talks about the duties Office of County Manager created and duties of Chairman of Board of Commissioners. However, she noted it is not in 30.03, so that needs to be looked into. Actually it is Section 30.01(A) that talks about the Chairman's duties. In her opinion and she has also talked with Rob Morton, about that portion is in conflict with the County Manager form of government. It is just one part of it, but would like to see it reviewed and brought before the Board as a change in the ordinance. The part she is speaking of allows the Chairman to make decisions in the event of an emergency and they ratify them later. But she stated that is what the County Manager is for and takes that out of the Chairman's hands in an emergency. Commissioner Bass noted that if she understood it right, that is a direct conflict with the Interlocutory Order.

District 3 – Commissioner Powers – He asked the County Manager to have Todd Goolsby to check the Water Authority Office for mold problems. He said there was a complaint about that at the last Water Authority meeting Commissioner Powers attended.

District 4 – Commissioner Jenkins – He requested to add prayer to the agenda for the next meeting. He stated he sure needs the help himself and he would like for it be after the meeting is called to order and then the Pledge of Allegiance. Mr. Phillips noted that the specifics of the agenda are in our Code and may need to have the Code changed. Place this as a topic for the next agenda. Chairman Johnson stated he too has been thinking about that as well.

At-Large-Chairman Johnson – He wanted to thank Commissioner Powers for filling in for him at the last meeting. He stated that according to Roberts Rule of Order when there is a motion and a second there should be an opportunity to discuss and then a vote. He has started following that procedure with this meeting and going forward.

- e. County Attorney Report to Commissioners.

**Mr. Tom Morton stated one item he would like to comment on which is, they circulated to the Board the dismissal regarding the Robert Adams v. Pike County School District matter. This takes the matter out of the court system at this time. However, he wanted to bring to the Board's attention a specific wording "dismissal is without prejudice" which means if they decide to bring the action back again, they have that right to do so.**

**7. UNFINISHED BUSINESS**

- a. Approval/denial of the second reading of the annual re-adoption of the Pike County, Georgia official Zoning Map.

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

**Ordinance To Amend and Re-Adopt the Official Zoning Map Of Pike County, Georgia**

**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; and

**WHEREAS**, on June 21, 1989, the Pike County Board of Commissioners adopted a Zoning Ordinance and Official Zoning Map both of which has been subsequently amended; and

**WHEREAS**, the Department of Planning & Development has determined that additional revisions to the Official Map are necessary to accurately reflect the correct zoning districts and boundaries of certain properties which have been reverted or rezoned throughout the County since the Map was last amended and adopted; and

**WHEREAS**, on March 14, 2013, the Pike County Planning Commission recommended that the Board of Commissioners re-adopt the Official Zoning Map to reflect the proposed revisions; and

**WHEREAS**, on March 26, 2013, the Pike Board of Commissioners conducted the 1<sup>st</sup> Reading and Public Hearing and voted to amend and re-adopt the Official Zoning Map;

**NOW THEREFORE**, having conducted the 2<sup>nd</sup> Reading of this Ordinance on April 10, 2013, the Pike County Board of Commissioners does hereby ordain effective on this date that the Official Zoning Map be amended and re-adopted.

Briar Johnson, Chairman (L.S.)

Michael B. Phillips, County Manager (L.S.)

- b. Approval/denial of the second reading of the annual ratification of the Code of Ordinance of Pike County, Georgia.

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

**2013 Ordinance to Ratify the Code of Pike County, Georgia With All Current Amendments, Revisions, and Modifications Through December 31, 2012**

**WHEREAS**, during the 2000 and 2001 term of the General Assembly, the Legislature deemed it necessary for all local governments to codify their respective ordinances and resolutions. The legislation was effective January 1, 2001 and is now codified at OCGA §36-80-19 entitled "**General codification of ordinances and resolutions; publication and availability of code; official state repository for general codifications**",

**WHEREAS**, the Board of Commissioners of Pike County, Georgia authorized and approved the codification of the ordinances and resolutions of Pike County in compliance with the requirements of the relevant legislation now codified at OCGA § 36-80-19;

**WHEREAS**, the Board of Commissioners of Pike County, Georgia previously ratified in 2009 The Code of Pike County, Georgia including all amendments, revisions, and modifications;

**WHEREAS**, the review and compilation has been conducted whereby the Code of Pike County, Georgia has been updated through December 31, 2012; and,

**WHEREAS**, all notices and hearings, as may be required by state and local law, have been provided for and/or conducted by Pike County;

**NOW THEREFORE**, the Pike County Board of Commissioners does hereby ordain as follows:

1.

The code of Pike County, Georgia including all amendments, revisions and modifications made since May 13, 2009, is hereby ratified and deemed current through December 31, 2013.

2.

As provided in The Code of Pike County, title, chapter and section headings do not constitute any part of the law as contained in the code and are intended for identification and organization purposes only. Some of the previous titles, chapters and/or sections may have been renumbered and/or reorganized for clarity and to avoid duplication.

3.

Upon execution of this Ordinance by the Board of Commissioners, including the Commission Chairperson, the publication known as the Code of Pike County, Georgia with all amendments, revisions and modifications since May 13, 2009 shall be deemed ratified by the Board of

Commissioners, shall be deemed current through December 31, 2012, and shall be further deemed to have been ratified in compliance with all applicable requirements of state and local law.

**SO ORDAINED BY:**

Chairman Briar Johnson (L.S.)

Commissioner Carol Bass (L.S.)

Commissioner Tommy Powers (L.S.)

Commissioner James Jenkins (L.S.)

**County Attorney, Tom Morton, stated to the Board going forward with the Code for 2013 they have requested items that may need to be included for review for this year. They have started a list based on the County Manager's recommendations and would like to add to the list Commissioner Jarrett's proposal in regards to the duties of the Chairman. Mr. Morton's recommendation would be to refer this to the County Manager for 2013.**

**Motion/second by Commissioner Bass/Commissioner Jarrett to allow the County Manager and the Board to look at the items for future adoption, motion carried 5-0.**

**Motion/second by Commissioner Bass/Commissioner Jarrett to amend the agenda to add Marcia Callaway-Ingram to the agenda, motion carried 5-0.**

- c. Marcia Callaway-Ingram request approval/denial of vacation pay out plus FICA and Medicare for Loretta Rakestraw to be added back to her budget.

**Motion/second by Commissioner Bass/Commissioner Powers to postpone this issue until all the numbers can be brought before the Board regarding vacation pay out, FICA, Medicare and health insurance that has been billed to Marcia's department. Motion carried 5-0.**

- d. Revisit date for the Animal Control Workshop. *Chairman Johnson will address the Board.*

**The date for the workshop will be Tuesday, May 14, 2013 from 6:00 p.m. – 8:00 p.m.**

**8. NEW BUSINESS**

- a. **PUBLIC HEARING:** Receive public input to consider the proposed abandonment of Hopkins Road.

**Chairman Johnson opened up the public hearing and announced any one in favor may come up and speak. Ms. Toni Alford came forward but did not know if she was in favor or not because it is her understanding that Hopkins Road does not exist and wanted to know what they were abandoning. She stated they have lived on Hopkins Road for twenty years and on her plat it shows Hopkins Road as a County Road. She said she just wants to know what are the Commissioners doing; she has had to make repairs to the road and does not want to keep putting her money into something that the County owns.**

**Chairman Johnson stated for any one opposing to please come up and speak. No one was forthcoming and closed the Public Hearing.**

**Commissioner Bass asked the same question Ms. Alford did in that how did this come up? Mr. Phillips explained that Mr. Alford brought this to his attention. She wanted to know if the County has a deed to this property and Mr. Phillips told her we do not. Commissioner Bass stated she understood the County had acquired it by prescription, but governments do not acquire through prescription. She noted lacking a deed, we cannot abandon something we do not own, it is not ours to do anything with. Mr. Phillips said that he understood her point, but to cover the legalities we thought this would be the best way to handle the situation. Commissioner Bass stated the Board at that time adopted that road, but no action was taken other than the meeting. The road goes nowhere but to Ms. Alford's house, Commissioner Bass stated she was on the road and Commissioner Powers stated he was too; it would be unfair for the citizens to continue to pay for a road that leads to Ms. Alford's home. She noted since the County does not have a deed to the property, the County does not own the property. The Alford's have an easement from the previous owners and that is their driveway. Commissioner Bass asked Mr. Morton what needs to be done to get it off the table. Mr. Morton advised they have researched as far back as they could and did not find a deed to transfer this particular road to the County. Mr. Morton stated he was advised by the Road Department that the County has done work on that road in the past, so appears there was a since of ownership; it seemed like the best thing to do was to go through the process of abandoning the road.**

**ACTION: Approve/Deny of the proposed abandonment of Hopkins Road.**

**Motion/second by Commissioner Bass/Commissioner Powers that the County has no interest what-so-ever in the Alford driveway and request documentation to show we have no interest in that property, motion carried 5-0.**

- b. County Manager to present to the Board the FY 2013-2014 Budget.

**Mr. Phillips presented to the Board their FY 2013-2014 Budget Book which is a draft and a work in progress. It has lines on it so that you can make notes; it includes a number of notes in reference to revenues and expenditures. He recommended the Board review this for the next ten days or so and if you have questions let him know and they can arrange meetings with the department heads in question. Commissioner Bass asked Mr. Phillips if he sat down with all**

the department heads to come up with this budget. Mr. Phillips replied that they did, explaining that all of them turned in information and either told us to use the numbers from last year or sat down with us and we looked at what they were recommending from their point of view. He noted that does not mean that we do not need to do it again, based on whether or not there are concerns about particular items. Commissioner Bass asked Mr. Phillips if they have a question about a line item, could they ask him why that is in there. Mr. Phillips stated they could ask him but they will still probably need to sit down with the department heads at some kind of meeting so they can explain specifics within their department request. Commissioner Jenkins pointed out that Commissioner Bass asked if *he* went with each department head and reviewed what they turned in for a budget; stating this is a yes or no answer. Mr. Phillips replied no, some of them sent him emails and said to put it in there with the same numbers as last year. Commissioner Jenkins asked Mr. Phillips if he reviewed anything before it got to them and Mr. Phillips said he reviewed with anybody that wanted to sit down and share that information with us; which was probably two thirds of the departments.

**Motion/second by Commissioner Bass/Commissioner Powers to amend agenda to go into Executive Session at the end of the meeting to discuss the County Manager, motion carried 5-0.**

- c. Carolyn Williams to address the Board for approval/denial to install steel doors in the vault and Courthouse furniture.

Ms. Williams addressed the Board regarding security issues with the vault; she stated there was a case in the vault that was sealed by a Judge, it had tape on the box, a seal and the Judge had written on the box as well, but someone came in the vault and opened that case. Ms. Williams relayed that the ladies that use to sit by the vault are now sitting in the front office. This is why she is requesting the purchase of the steel doors for the vault.

**Motion/second by Commissioner Bass/Commissioner Jarrett to approve purchase of vaults for \$1,872.15, motion carried 5-0.**

Ms. Williams stated the furniture she is requesting is for the Juvenile Courtroom and office furniture that is needed downstairs. She said she understands this will be paid out of the SPLOST account. Commissioner Powers asked if this would complete all the furniture needed for the Courthouse. Ms. Williams stated as far as she knows that is correct. Commissioner Jarrett asked if this was approved today when would the furniture be in place. Brad from Impact Office Interiors advised in about five weeks. Commissioner Bass asked Mr. Phillips what would happen with the furniture that will come out of the Courthouse and do we have a salvage plan. Mr. Phillips replied that anything that comes out of the Courthouse will be offered to other groups that may have need of the furniture, then it will go into surplus which is held by Public Works. At some point it will be disposed of however the Board decides. Commissioner Bass asked Ms. Williams if we could inventory the old furniture before it comes out so that we can follow those pieces of furniture. Ms. Williams stated that would be fine. Commissioner Bass requested she get with County Clerk, Jo Ann Wrye to arrange a date.

**Motion/second by Commissioner Powers/Commissioner Bass to approve purchase of furniture for \$39,567.35, motion carried 5-0.**

- d. Sheriff's Department to address the Board for approval/denial of benches to secure prisoners in the Courthouse. *Major Jason Smith or County Manager to address.*

**Motion/second by Commissioner Jarrett/Commissioner Bass to table this issue to the end of the agenda to allow time for Major Smith to get to the meeting, motion carried 5-0.**

Major Smith from the Sheriff's Department addressed the Board regarding the need for the benches to secure prisoners in the Courthouse. He stated three benches were needed for the holding cells in the Courthouse, one for each cell. Major Smith noted that 1 – 6 foot bench and 2 – 8 foot benches would be sufficient. Commissioner Jarrett commented the bids they have did not quote an 8 foot bench. Commissioner Bass noted that the quotes they had did not bid on the same thing, they were all different sizes.

**Motion/second by Commissioner Bass/Commissioner Jarrett to re-bid for one 6 foot steel bench with cuff ring and two 8 foot steel benches with cuff rings, both floor mount benches, to include installation, motion carried 5-0.**

- e. Wayne Gibson desires to seek approval from the Board for a reduction in the application fee for a possible rezoning on Kings Road.

Mr. Wayne Gibson addressed the Board regarding two acres of property his father owns which is currently zoned commercial. His father desires to transfer this property to Wayne Gibson, but Wayne would like to have it re-surveyed, however, in order for them to do that he will have to have the property re-zoned to residential. Wayne noted that the property is wet and nothing can be built on the property. He is asking the Board if the fee could be waived or reduced to have it re-zoned. David Allen, Planning and Development Director, stated he consulted with the County Attorney after speaking with Steve Reeves (Surveyor) and they agreed the property needs to be re-zoned back to residential. David noted the problem for Wayne Gibson is that there is a \$500 re-zoning application fee required for a citizen to initiate re-zonings. David explained that other zoning activities, such as special exceptions and variances, which incur

processing and advertising expenses, are assessed a \$200 fee. Commissioner Jarrett commented this property was actually in her district. She stated she has been looking at the fees for these types of issues and said they were able to get one slightly reduced lately. Commissioner Jarrett feels like there needs to be something that accommodates situations like this when someone had intentions of making money with it and then changing it to where it blends with the area. This is not affecting anyone, it blends with the area. She thinks \$500 is too steep of a fee to charge for returning something that is going to blend with the whole area. She wanted to know how we can handle this. Tom Morton stated to David it was his understanding that if the Commissioners should instruct him to take the zoning action there would be no fee. David replied that is correct. Mr. Morton said that may be one option of handling this and the other option is Section 150.18 of Code provides "A schedule of permit fees shall be maintained by the Director of Planning and Zoning, which is incorporated by reference as if appearing in total. A copy of this schedule shall be posted for public inspection at all times. Establishment and/or amendment of the schedule of permit fees shall be made by resolution of the Pike County Board of Commissioners. The schedule of permit suggestions for revision and/or approval at least once in each calendar year." Mr. Morton relayed it is his opinion of this particular section would be also authority for the Board of Commissioners to make an adjustment in the fee arrangement pursuant to that provision. Commissioner Bass commented that the Planning and Zoning Department is not suppose to operate as a revenue producer, they are there to operate to cover their cost. Her question is does it cost \$500 to get a re-zoning done and would like for David to revisit his cost. Her concern by lowering the cost on this particular situation, the flood gate this might open. She is more inclined to prepare an ordinance that addresses a case like this and can be treated with a lesser fee. She does not want to create a precedence. Commissioner Powers asked Mr. Gibson how long has the commercial property not been used as commercial. He was told it had not been used as commercial property for over 13 years.

**Motion/second by Commissioner Bass/Commissioner Jarrett to amend Fee Schedule to \$200 for re-zoning, motion carried 5-0.**

- f. Set date for open house to celebrate the completion of the Courthouse Renovation.

**Motion/second by Commissioner Jarrett/Commissioner Powers to have the open house for the Courthouse on Saturday, June 8,, 2013 from 10:00 a.m. – 2:00 p.m. with a reception in the foyer of the Courthouse. Recognize certain people such as former Chairman, Doug Chairman Mangham, former Commissioner Don Commissioner Collins, the architect, etc. Motion carried 5-0.**

**9. PUBLIC COMMENT- (Limited to 5 minutes per person)**

- a. Parrish Swift desires to address the Board regarding Magistrate Court, the budget and prior issues.

**Per Mr. Swift's request, the Commissioners amended to agenda to take Mr. Swift off the agenda.**

**10. EXECUTIVE SESSION**

**Motion/second by Chairman Johnson/Commissioner Bass to enter into Executive Session, motion carried 5-0.**

**CLOSED MEETING AFFIDAVIT**

*[A copy of the affidavit must be filed with the minutes of the meeting]*

**STATE OF GEORGIA  
COUNTY OF PIKE**

**AFFIDAVIT OF PIKE COUNTY BOARD OF COMMISSIONERS**

Members of the Pike County Board of Commissioners, being duly sworn, state under oath that the following is true and accurate to the best of his/her knowledge and belief:

1.

The Pike County Board of Commissioners met in a duly advertised meeting on 4-10-2013.

2.

During such meeting, the Board voted to go into closed session.

3.

The executive session was called to order at 11:28 a.m.

4.

The subject matter of the closed portion of the meeting was devoted to the following matter(s) within the exceptions provided in the open meetings law:

No Consultation with the county attorney, or other legal counsel, to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the county or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1);

No Discussion of tax matters made confidential by state law as provided by O.C.G.A. § 50-14-2(2) and \_\_\_\_\_insert the citation to the legal authority making the tax matter confidential);

No Discussion of the future acquisition of real estate as provided by O.C.G.A. § 50-14-3(4);

Yes Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee or interviewing applicants for the position of the executive head of an agency, as provided in O.C.G.A. § 50-14-3(b)(2);

No Other (describe the exemption to the open meetings law): \_\_\_\_\_ as provided in \_\_\_\_\_(insert citation to the legal authority exempting the topic).

Pike County Board of Commissioners:

Briar Johnson, Chairman (L.S.)

Carol Bass, Commissioner (L.S.)

This the 10th day of April, 2013.

Tamra Jarrett, Commissioner (L.S.)

Tommy Powers, Commissioner (L.S.)

Sworn to and subscribed

Before me this 10th day of April, 2013.

James Jenkins, Commissioner (L.S.)

Thomas H. Morton  
Morton & Morton Associates  
County Attorney and Notary Public

My commission expires: August 16, 2014.

**Motion/second by Commissioner Powers/Commissioner Bass to adjourn Executive Session, motion carried 5-0.**

**Motion/second by Commissioner Jarrett/Commissioner Bass to enter into Regular Session, motion carried 5-0.**

#### 11. ADJOURNMENT

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

\_\_\_\_\_  
Chairman, Briar Johnson

\_\_\_\_\_  
County Clerk, Jo Ann Wrye