

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

The Pike County Board of Commissioners held its Regular Monthly Meeting on Tuesday, April 30, 2013 at 6:30 p.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. Interim County Manager 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))**

Interim County Manager Rob Morton requested to amend the agenda to remove Robert E. Adams, Jr. and Parrish Swift from Public Comment, items a. and b., per their request. Mr. Morton also requested to add Executive Session for the purpose of discussing litigation germane to the Magistrate Court and personnel issues germane to the Fire Department, EMS.

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

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

Minutes of the April 10, 2013 Regular Monthly Meeting.

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

Minutes of the April 11, 2013 Specially Called Meeting.

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

Minutes of the April 15, 2013 Specially Called Meeting

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

**5. INVITED GUESTS - None**

**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. *There are no Department reports as they will be provided during the first Board meeting of May. (With the exception of IDA.) Revenue/Expenditure Statement and Check Register is included.*

Mr. Morton stated additional reports were also included from Agribusiness and EMS.

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

b. County Manager Report

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

General Fund .....	\$2,400,249.96
Jury Account.....	\$0.00
Cash Reserve Account.....	\$176,410.46
Jail Fund .....	\$24,191.07
E-911 Fund .....	\$144,044.70
DATE Fund .....	\$18,115.92
PC L.M.I. Grant.....	\$315,321.50
Juvenile Court Fund.....	\$23,743.89
Residential Impact Fees .....	\$283,509.14
Commercial Impact Fees .....	\$8,202.86
General Obligation SPLOST Tax Bond Sinking Fund, 2011 .....	\$414,373.65

c. County Manager Comments

Mr. Morton presented to the Board an updated Revenue/Expense report stating he wanted them to have the most current information. He relayed he has been meeting with each department head or their representative relating to the budget proposal and gone over each line item with that department. This process should be completed in the next week. Mr. Morton reminded the Board of the Budget Hearing coming up on next Wednesday, May 8, 2013 at 1:00 p.m. and he is hoping to present the Board a recommendation at that meeting.

Mr. Morton advised he has a copy of the report regarding the mold issue concerning the 4-H building and it is his understanding it was a drainage issue and not a mold issue. Todd Goolsby is scheduled to begin the regrading necessary to get the flow away from the building starting next week. Mr. Morton explained there is also some painting and paneling issues that is being addressed, but the report was positive and there will not be any significant health concerns.

The other issue Mr. Morton wanted to bring to the Board's attention is there is a problem with the water bill with the City of Zebulon and the Water Authority building. The City had changed meters and believes the increase of the bill is related to the meter change and they are looking into the matter.

Mr. Morton stated there is an issue relating to a demolition and renovation involving Shoal Creek Church on Hwy. 362, and went on to explain when the impact fee was revised, line 157.04 A-1. talks about rebuilding no more than the same units of development that were removed by demolition, or destroyed by fire or other catastrophe, on the same lot or property are not subject to impact fees. Mr. Morton said it is their position that since the square footage is to be decreased, that the impact fee not be required and asked the Board for their consideration of this matter.

**Motion/second by Commissioner Bass/Commissioner Powers to follow staff's recommendation that the Impact Fee is not applicable to this project, motion carried 5-0.**

Mr. Morton provided the Board with three (3) different bids regarding the benches for the Courthouse per their request at the last meeting. Because this information was provided after the Commissioners picked up their packets, this will be continued at the next meeting on May 8, 2013.

Superior Court Clerk presented Mr. Morton with expenditure for flags, gavels and skirts for tables in the Courtroom which she would like to be paid out of SPLOST.

**Motion/second by Commissioner Jarrett/Commissioner Powers to approve the amount of \$543.35 for the flags and gavels to be paid from SPLOST, motion carried 5-0.**

**Motion/second by Commissioner Powers/Commissioner Jarrett to approve the amount of \$113.31 for the skirt to be paid from SPLOST.**

Another item discussed was the Courthouse renovation update, Mr. Morton stated only a couple of minor issues that are outstanding. Mr. Morton advised there was another Exit sign requested for one of the hallways at the Courthouse and the entrance into Courtroom #2, there was an issue with a handle and the locking device inside the handle. They are waiting for delivery of that part. Those are the only issues Mr. Morton knows of that are outstanding with the Courthouse with the exception of the furniture request they have received. Commissioner Powers inquired if all the bricks have been put back and Mr. Morton stated in the report provided there are 47 bricks to be replaced due to damage during construction and the cost to replace those bricks are around \$940.00. Since this was less than \$1,000 and only required County Manager approval according to our policy, Mr. Morton approved the purchase. Mr. Morton wanted to know if the Board wanted to use SPLOST to pay for the bricks or use money from Public Works Lawn Care to cover the expense. Commissioner Powers stated the day of the walk thru somebody mentioned the bricks and was told by the contractor they would replace the bricks. Mr. Morton relayed he was not privy to that conversation. Commissioner Bass asked if the bricks were paid for by individuals and was told they were. She stated even though there is money in Public Works Lawn and Maintenance, Todd is \$46,000.00 over his budget in paid and unpaid Maintenance and Repairs, this cannot come from him. Mr. Morton stated he would follow up with the contractor and put this issue back on the agenda for May 8, 2013.

Mr. Morton said there was a question related to the projected forecast raised on Revenue and Expenses and his understanding from Kay is that she is watching that and printed out the report before the meeting. Mr. Morton stated he would make sure the Board has a copy of the report not only through the remainder of the budget year but through the remainder of the calendar year, because the only revenues we will receive will be LOST until next tax season. Commissioner Bass asked if we need to trim expenses and Mr. Morton stated it fluctuates, right now it looks like we may be short a little bit based on the projects done today, but that will fluctuate. He said we are on a lean budget as it is and have mentioned this to folks who are looking at replacing some things during this upcoming budget year. Mr. Morton suggested to the Board they implement a Capital Improvement/Acquisition Plan for replacement of items such as vehicles, equipment, etc. Commissioner Bass noted that until the inventory is complete, she feels it is unfair to the citizens for employees to ask for things when we don't know what they have. Mr. Morton relayed that is why he is asking for all the supporting documentation he can during the Budget Workshop discussions, but he agrees with Commissioner Bass.

d. Commissioner Reports.

District 1 – Commissioner Bass – She appreciates Mr. Morton trying to keep the Board informed, she likes that idea. She stated that she emailed Mr. Morton some questions regarding the Fire Department. They are asking for a lot of equipment and the Board needs to know what kind of equipment they currently have. Commissioner Bass noted at the last meeting, Mr. Morton was not there and she wanted to make sure he knew of the discussion about the Per Diem and Vacation Pay. Mr. Morton stated he has that information and even though it may not be on the May 8<sup>th</sup> meeting he is working on that. Commissioner Bass questioned how many credit cards do we have and who has them. Mr. Morton advised he had received from the previous County Manager the credit card, cell phone and keys; he will find out how many credit cards the County currently has. Mr. Morton also informed the Board that the locks have been changed.

District 2 – Commissioner Jarrett – Commented she and Todd Goolsby talked about scheduling a public meeting to discuss the Road Department and what could be done with the SPLOST money. She understands we are not at that point yet, but instead of waiting until the last minute she wanted to talk about it so citizens will know. She stated she still gets a lot of calls regarding road conditions and knows we are going into a new phase of road treatment with the warmer weather. She appreciates people calling her and expressing how they feel on issues and encouraged the citizens to continue to call her. Commissioner Jarrett noted she missed the event at the Library today because

she was attending a conference but she appreciates the Library having public exposure and apologized for not being there.

District 3 – Commissioner Powers – Commented he has had several calls regarding the roads, but stated Todd and his department are working on it and will get it taken care of as quick as they can.

District 4 – Commissioner Jenkins – No comment

At-Large-Chairman Johnson – He wanted to thank Rob and Tom Morton for filling in as Interim County Manager. He commented on the training him and Mr. Jenkins attended over the weekend in Savannah stating they had learned a lot from the training. He reminded everyone about the Animal Control Workshop on Tuesday, May 14, 2013 from 6:00 p.m. to 8:00 p.m. Chairman Johnson noted he attended the event at the Library today and stated they had a great turnout, great food and had a good time.

- e. County Attorney Report to Commissioners. No comment will save for Executive Session.

## 7. UNFINISHED BUSINESS - None

## 8. NEW BUSINESS

- a. Authorize Interim County Manager to sign the Hazard Mitigation Grant Program Award.

Jimmy Totten explained to the Board about the Hazard Mitigation Grant Program. He stated The County has been awarded the grant; it was signed off by Bill Sawyer. What is before the Board today is a form stating they will participate in the grant as a Subgrantee with GEMA being the Grantor. Mr. Totten explained this is a \$24,000.00 from GEMA which means the County can get reimbursed up to \$18,000.00, if the County spends that amount of money, with in kind of \$6,000.00. Mr. Totten relayed that most cities participate in this grant.

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

- b. Consider two appointments to the Pike County Board of Appeals for a three-year term set to expire May 9, 2016. *Applicants have met criteria.*

**Motion/second by Commissioner Powers/Commissioner Jarrett to re-appoint Ron Snowden, motion carried 5-0.**

**Motion/second by Commissioner Bass/Commissioner Jarrett to re-appoint Bonnie Gardner, motion carried 5-0.**

- c. Approval/denial of request to use Courthouse grounds by Zebulon Downtown Development Authority for Sale on the Square, May 4, 2013 from 8:00 a.m. through 3:00 p.m.

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

- d. Discuss and/or approve/deny to add prayer to the agenda.

Chairman Johnson stated he is a Christian and believes in prayer, he found out yesterday he was elected as a Deacon in his church and very happy with that. He relayed this was a very difficult decision for him and for the Board and noted that if this was his meeting or his business, there would be no doubt in his mind that there would be prayer. But the Chairman explained this is not his meeting it is the Commissioner's meeting and the citizen's meeting and he is very sensitive to that and knows what he wants to do. He noted that he has asked people before he took office, of what would the people like to see and he has heard both sides. Chairman Johnson said this is very difficult to state what you think is right for the County and even though it is not his personal opinion, but feels it is right for the County for this meeting, he is going to support a moment of silence or a silent prayer.

**Motion/second by Commissioner Jenkins/Commissioner Powers to approve a verbal prayer, motion carried 3-2 with Chairman Johnson and Commissioner Jarrett opposing.**

Commissioner Jarrett stated the most important thing to her was freedom of religion in our Country and that was the reason she voted as she did. She stated there are some parameters that were established in a landmark case and the Board needs to be mindful of those parameters.

Commissioner Bass suggested having Ben Maxedon and some of the other preachers to conduct the prayer.

Chairman Johnson stated his initial thought was to invite all the ministers from all the churches in the County. He wanted to know if we have someone who is Catholic in the County, and since we do not have a Catholic Church in the County, are we going to go to Griffin to that church?

Commissioner Jenkins suggested, stating that he does not have a problem himself saying a prayer before God, would be to go out and possibly have a pastor serve two meetings per month and that would cover twelve months out of the year and then rotate.

Put on the agenda for May 8, 2013 to discuss placement of prayer on the agenda and who is going to conduct the prayer.

Commissioner Jarrett suggested that the Board read the Supreme Court's decision, just so they understand what has been said.

- e. **PUBLIC HEARING:** To receive public input on SE-13-04 – Christine Curry and William Chamberlain, property owners, and Christine Curry, applicant, are requesting a special exception in an A-R zoned district to allow for the operation of a Bed & Breakfast in a historic home. The property, located at 1722 Chapman Road, has approximately 238 feet of frontage along the west side of Chapman Road. The property is located in land Lot 165 of the 8<sup>th</sup> District of Pike County, Georgia. The property consists of 1.20 acres and is further identified as Tax Map Parcel #080 009.

David Allen addressed the Board stating this was brought before the Board of Appeals on April 18, 2013 and was recommended for approval with the following conditions and adding the Code definition of Bed and Breakfast as condition #4:

1. An annual business license shall be required.
2. Any new signs associated with the Bed and Breakfast shall comply with the County Sign Ordinance.
3. There shall be no parking of guest cars on the right-of-way or shoulder of Chapman Road.
4. Bed and Breakfasts are defined in the Code, per Section 156.006 (A)(16) as: A building other than a hotel used for overnight accommodation for compensation, provided that:
  - a) Guests normally stay no longer than seven (7) days.
  - b) Meals shall be served only to overnight guests on the premises.
  - c) The building is not to be used for residential occupancy any length of time, other than by the owner of the bed and breakfast and his or her immediate family.

Speakers in Favors:

Speakers in Opposition:

Margie Trammell

None

**Action:** Approval/denial of special exception request.

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

- f. Approval/denial of revised Planning and Development Fee Schedule, relative to the rezoning fee reduced at the prior Board meeting.

David Allen addressed the Board stating that at the Commissioner's meeting on April 10, 2013 they had approved a motion to reduce the established \$500 rezoning fee to \$200. He said the revised schedule before them reflects those changes and once approved will need to be signed by the Chairman and the Interim County Manager.

**Motion/second by Commissioner Bass/Commissioner Jarrett to accept the new fee schedule, motion carried 5-0.**

- g. Approval/denial of proposal from Johnson Electric Systems, Inc. to install and provide offsite fire alarm system monitoring for the renovated Pike County Courthouse.

Continued until May 8, 2013 meeting.

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

**10. EXECUTIVE SESSION**

- a. Interim County Manager requests Executive Session for discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a county officer or employee as provided in O.C.G.A. § 50-14-3(6); germane to the Fire Department, EMS.
- b. Interim County Manager requests consultation 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), germane to Magistrate Court.

**Motion/second by Chairman Johnson/Commissioner Bass to enter into Executive Session at 7:48 p.m., 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 4-30-2013.

2.

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

3.

The executive session was called to order at 7:48 p.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:

Yes 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:

This the 30th day of April 2013.

Briar Johnson, Chairman (L.S.)

Sworn to and subscribed

Before me this 30th day of April 2013.

Carol Bass, Commissioner (L.S.)

Robert L. Morton

Tamra Jarrett, Commissioner (L.S.)

Morton & Morton Associates

M.T. Powers, Commissioner (L.S.)

County Attorney and Notary Public

**Motion/second by Commissioner Bass/Commissioner James Jenkins, Commissioner (L.S.) 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