

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

The Pike County Board of Commissioners held its Regular Monthly Meeting on Tuesday, July 29, 2014 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. County Manager John Hanson, County Attorneys Rob and 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. **SILENT INVOCATION**.....Chairman J. Briar Johnson
3. **PLEDGE OF ALLEGIANCE**..... Chairman J. Briar Johnson
4. **APPROVAL OF THE AGENDA - (O.C.G A. § 50-14-1 (e) (1))**  
Motion/second by Commissioner Bass/Commissioner Jenkins to approve, motion carried 5-0.
5. **APPROVAL OF THE MINUTES - (O.C.G.A. § 50-14-1(e) (2))**

Minutes of the July 9, 2014 Regular Monthly Meeting.

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

6. **INVITED GUESTS - None**

7. **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 Bass/Commissioner Powers to approve, motion carried 5-0.

- b. County Manager Report

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

General Fund .....	\$1,701,190.72
Fire Dept. Donations.....	\$1,200.46
Cash Reserve Account.....	\$176,527.22
Jail Fund .....	\$35,492.64
E-911 Fund .....	\$36,991.46
DATE Fund .....	\$31,333.87
Juvenile Court Fund.....	\$18,676.90
Residential Impact Fee .....	\$270,483.13
Commercial Impact Fees .....	\$11,427.04
General Obligation SPLOST Tax Bond Sinking Fund, 2011 .....	\$214,220.86
L.M.I. Grant (DOT).....	\$253,321.14

- c. County Manager Comments.

West Fossett Road should be open tomorrow.

Contractor for Old Zebulon Road is running a little bit behind due to the weather, he will begin next Monday.

PATC met on Thursday, Chairman Morton covered a lot of issues and has engaged quite a few members of the public to become involved, he encourages anyone that wants to participate to attend future meetings.

Looking at a number of potholes around the county and met with a couple of contractors to discuss some alternatives for a long term fix.

SPLOST numbers are up again, the amount is \$86,033.00 which is up by \$10,000.00 from last year and LOST numbers are up as well, that amount is \$64,000.00. This is the third month in a row those number have been up.

- d. Commissioner Reports.

District 1 – Commissioner Bass

Cash Reserve account has remained stagnate with \$176,000.00 in the account since October 2012. She has been talking with County Manager Hanson and would like to see the Board put one penny for every dollar of revenues that come in and move it into the Cash Reserves Account on a monthly basis. County Manager Hanson noted that would be a very good start. He stated there are funds from GovDeals that he would like to move into that account and any future sale of assets can also go into that account. Commissioner Jarrett wanted to know if that could be done with revenues that are already designated. County Manager Hanson stated that it could be done; it is not a special revenue fund. County Attorney Rob Morton stated technically these are not designated funds, they are General Revenue accounts being talked about and there are plenty of opportunities if you have a policy in place. Rob stated it is an accounting issue and not a revenue issue because the money is not spent, it is still there.

**Motion/second by Commissioner Bass/Commissioner Jarrett to have County Manager Hanson bring to the Board a policy or concept regarding taking one penny from revenues and place it into the Case Reserves account, motion carried 5-0.**

District 2 – Commissioner Jarrett

Asked County Manager Hanson for a timeline of what they are doing with the animal control and the facility as well. She knows there is an Animal Control Officer coming on board in August, she wanted to know the status of that and when was the facility going to be in use as well as an explanation of Mr. Darsey's duties. County Manager Hanson stated we have hired Novan Darsey to serve in the Code Enforcement/Animal Control roll and will basically be assisting David Allen in all of his duties. He stated our new Buildings and Grounds Director will be more hands on with the facility. County Manager Hanson stated he is also meeting with Friends of Animals to see if they can help us with some of the items that we do not have in our budget. He also reminded the Board this facility will only house vicious and dangerous dogs. Commissioner Jarrett also wanted to know if there was a vehicle for this person to use and County Manager Hanson told her the truck from David Allen's office will be utilized. Commissioner Jarrett stated this is something they have all worked for and would like to see this up and running before she leaves office. County Manager Hanson said this should be up and running in just a few weeks, he will give the Board a status report at the next meeting.

Still getting calls regarding Cook Road, people are not satisfied with where we are with it. County Manager Hanson said the crew had been out there working but was called away due to road closure; he has talked with Todd about the situation on Cook Road. Todd wants to cut the potholes out of the road, compact them and patch that himself. Also the asphalt plants have been working at night due to a project in Upton so they have not been able to get asphalt as they need to.

District 3 – Commissioner Powers

Received calls regarding the roads, but Todd has already addressed those issues.

District 4 – Commissioner Jenkins – No report.

At-Large-Chairman Johnson – Welcomed the two newly elected commissioners, Tim Daniel and Tim Guy, to the meeting. Cautioned the audience about talking and to silence cell phones.

e. County Attorney Report to Commissioners – No report

## **8. UNFINISHED BUSINESS**

Approve/deny Second Reading of the Solar Farm Ordinance.

David Allen addressed the Board and stated the ordinance they have before them reflects the changes they made at the meeting on July 9<sup>th</sup>. David said Mr. Casey had sent him an email suggesting language regarding the bond and agreement with the power company to add to the ordinance, David said he forwarded that to the Board and it will be their decision to add that to the ordinance. Commissioner Bass wanted to know why this could not stay A-R and not include C-3 and M-2b. David Allen stated she was right, it was not that big of tracts now, but if there are some in the future it will help to cover all the bases.

Commissioner Jarrett wanted to know if 100 feet would be enough for the solar panels to be set back from property lines and David Allen stated he thought it was sufficient given that the inverters are the ones that make the noise and not the panels. Commissioner Jarrett wanted the Board to think about is there is a minimum 6 foot high security fence around the perimeter; she said that is not difficult to scale and wondered if the Board might want to change it to 8 feet. The Board was good with the 6 feet. Commissioner Jarrett would like the word "operator(s)" to be added in item "L" after "The solar farm".

**Motion/second by Commissioner Bass/Commissioner Jenkins to approve with the word "operator(s)" added in item "L" after "The solar farm", motion carried 5-0.**

## **9. NEW BUSINESS**

a. Per Section 155.03, a previously approved plat with proposed lot line changes for two parcels is being submitted to the Board of Commissioners for approval. The parcels front Hwy. 362 West and are also known as Tax Map Parcel #038 036 and #038 036C respectively.

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

b. Per Section 155.03, a previously approved plat with proposed lot line changes for two parcels is being submitted to the Board of Commissioners for approval. The parcels front McDaniel Road and are also known as Tax Map Parcel #095 048 and #095 048A respectively.

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

c. **PUBLIC HEARING:** To receive public input on REZ-14-05 – Sheila F. Everitte, property owner, and Reggie Blount, applicant, are requesting a re-zoning from M-1 (Manufacturing – Rural) to C-3 (Heavy Commercial) to allow for the continued use of mini-warehouse storage units on the subject property. The subject property, located on U.S. Hwy. 19, will have approximately 165 feet of

frontage along the western side of U.S. Highway 19. The property is located in Land Lot 206 of the 8<sup>th</sup> District of Pike County, Georgia. If approved, the property will consist of 2.00 acres and is further identified as a portion of Tax Map #084 024C.

David Allen presented the above to the Board stating this was recommended for approval by the Planning Commission and staff on July 10, 2014.

**In Favor**

Reggie Blount

**In Opposition**

No one came forth

**Action: Discuss/Approve/Deny**

**Motion/second by Commissioner Jarrett/Commissioner Jenkins to approve with conditions read by David Allen, motion carried 5-0. Conditions are as follows:**

1. Any substantial alterations or expansions of the existing buildings shall be subject to the standards of the Overlay District Ordinance.
  2. The business shall require an annual business license.
  3. Any new signage shall conform to the Pike County Sign Ordinance standards.
  4. The property owner shall clean any debris or junk from the property and keep the property in a safe and orderly fashion for customers.
  5. The mini-warehouses shall be for the storage of non-perishable household items, etc. and shall not store any hazardous materials.
  6. A formal agreement for access to the shared commercial driveway and the use of the well on the property shall be prepared between Mr. Blount and Mrs. Everitte.
  7. The 100 foot undisturbed stream buffer and the 150 foot impervious stream setback, as per Code Section 156.296 (D) shall be strictly enforced.
- d. **PUBLIC HEARING:** To receive public input on REZ-14-06 – Sheila F. Everitte, property owner and applicant, is requesting a re-zoning from M-1 (Manufacturing - Rural) to M-2B (Manufacturing Heavy) to allow for a recycling center on the subject property. The subject property, located at 1407 U.S. Hwy. 19 (former site of Everitte Enterprises), currently has approximately 322 feet of total frontage along the western side of U.S. Highway 19. The property is located in Land Lot 206 of the 8th District of Pike County, Georgia. The property currently consists of approximately 5.61 total acres and is further identified as a portion of Tax Map Parcel #084 024C.

David Allen presented this to the Board stating this was brought before the Planning Commission on July 10<sup>th</sup> and they along with staff recommended approval with conditions.

**In Favor**

Elaine Cooper  
Sheila Everitte  
John Morrision  
Reggie Blount

**In Opposition**

Ray Brumbelow  
Brent Davis  
Marjorie Cochran  
Lynn Smith

Commissioner Bass wanted to know if Ms. Everitte lived at the site of the proposed business and David told her she lived away from the site.

Chairman Johnson asked if this could be considered spot zoning. David Allen states this has been zoned M-1 since the 1990's so this zoning would not be considered spot zoning. County Attorney Rob Morton stated the Zoning Administrator would not be recommending violation of the zoning criteria in spot zoning. Chairman Johnson stated he understood that but wanted to make sure everyone else understood that as well.

Commissioner Powers asked David Allen did he inquire about the lighting and noise. David Allen asked Ms. Everitte if there were lights out there now. Ms. Everitte stated there are lights in the shop, but EMC is going to put a big light toward the back of the property. David Allen said the Overlay District requires night friendly lighting.

**Motion/second by Commissioner Powers/Commissioner Bass to allow Sheila Everitte to answer questions, motion carried 5-0.**

Commissioner Powers asked if they say they are going to process cars, but not process them on the property, tell him how are they going to process vehicles, batteries, etc., what type of containers will be used, what it is going to be made out of, will it hold the oil that will be contained in it. Ms. Everitte stated the process of a car is when someone calls them and they want to sell their car to them. Ms. Everitte said they need to have a title to the car, they go pick the car up, bring it back to the shop, make a copy of the title and the car leaves the property then. They do not do anything to the car on the property. Ms. Everitte stated batteries are in a container on the floor inside the shop; she said they get twelve batteries a month and that is it. Commissioner Powers asked if they would be okay with their days of operation being from 8 to 5, Monday through Friday. Ms. Everitte stated they are only open until 12:00 pm on Saturday so the people who work can come then.

Commissioner Jarrett wanted to know if the asphalt driveway was the only access point for that property, what size vehicles will be coming and at what frequency to pick up these metals. Ms. Everitte said a big truck comes once a week to pick up what is there and she said that is the only access to the building. Commissioner Jarrett stated it was suggested earlier in the meeting that this business has already started and wanted to know if that was true. David Allen stated as explained in the staff report a couple of weeks ago, he thought it was a smaller scale, example, aluminum cans, and was not suppose to be visible, but when he realized it was bigger items and was visible, he suggested to Ms. Everitte to rezone the property. Commissioner Jarrett asked what will she be seeing when she goes by there. Ms. Everitte said there will be a fence up with black fiber on it; you will not be able to see the building until you pull up through the gates. Commissioner Jarrett asked what would be the largest type metal, other than vehicles, will be on the property. Ms. Everitte said it would be things like plows, metal off of buildings, aluminum, etc. Chairman Johnson asked if the items will be weighed and Ms. Everitte said they will be, the scales are inside the building. Commissioner Bass commented to David Allen that the Overlay District is pretty severe and asked if the applicant is aware of the ordinance. David Allen stated it is one of the listed conditions and she was provided a copy of the report. Commissioner Bass asked if there was any foliage and David told her there were no trees.

**Action: Discuss/Approve/Deny**

**Motion by Commissioner Bass to approve, motion died for lack of a second.**

No other motion was made; this will be brought back as Unfinished Business on August 13, 2014 not as a public hearing.

- e. **PUBLIC HEARING:** To receive public input on Code Section 154.05, of the Pike County Environmental Review Committee's July 24, 2014 reports concerning SE-14-05 and SE-14-06.

County Attorney Rob Morton suggested to the Board, if they wanted to, they could combine the public hearings for items 9e., 9f., and 9g.

**Motion/second by Commissioner Jenkins and Commissioner Powers to combine the Public Hearings for items 9e., 9f., and 9g., motion carried 5-0.**

**In Favor for Items 9e, 9f and 9g.**

Kevin Casey

**In Opposition of Items 9e, 9f and 9g.**

Doug Lacey  
Ann Evans  
Ron Miley  
John Morrison  
TylerMameli  
Nathan Rounds

David Allen presented the Board with the Environmental Review Committee report for their approval/denial, the report recommended the following:

1. **The County needs further input from the Flint Riverkeeper, Gordon Rogers, to avoid potential litigation.**
2. **Due to too many unanswered questions and unresolved issues, and the need for more watershed research, the Board of Commissioners should not make a final decision on the solar farm projects at their regular monthly meeting next Tuesday, July 29, 2014.**
3. **The erosion/sediment control plans/processes for the solar farms need augmentation (more than the minimum State standards), and increased review and inspections.**
4. **The County and the applicant need to find ways to monitor herbicide use and levels on the solar farm properties.**
5. **There are a lot of local pilots in the area. Glare is a concern for them. Find ways to minimize glare.**
6. **There may be cultural/archaeological elements on the solar farm properties. If these are found, work must be stopped to adequately address them.**
7. **Bare earth areas on the solar farm properties are a concern and should be minimized as much as possible.**

County Attorney Rob Morton, advised the Board that even though they combined the public hearings for items 9e, 9f and 9g, according to their code, they need to make a decision tonight to approve/deny the Environmental Review Committee's report or make a decision within 30 days. He stated the Board also needs to address items 9f. and 9g. that they have information on as separate parcels.

Commissioner Bass asked when this process began, everyone says we are doing this really quick, it seems it has been going on for three months or more. She was advised by County Manager Hanson this began in April.

Commissioner Jenkins stated he heard a comment about the cost to the county and asked County Manager Hanson if he would discuss the cost and revenue to the county. County Manager Hanson stated there are no costs to the county. He noted under the proposed pilot agreement the tax revenue for the next twenty years is approximately from \$259,000 to 5.6 million dollars for the counties portion and school portion. Commissioner Bass stated she thought she understood that there would be a couple of scholarships for the children as well.

Commissioner Jarrett asked when the residences were made aware of this. David Allen stated the public was made aware prior to the May meeting in the advertising of the agenda.

**Motion/second by Commissioner Bass/Commissioner Jenkins to allow Mr. Kevin Casey to speak, motion carried 5-0.**

Commissioner Bass posed the question again regarding scholarships for children for Mr. Casey to answer. Mr. Casey stated he has discussed that with Superintendent Duncan, they have to work out the details regarding that, but it is on the table. Commissioner Bass asked if they were planning to put in detention ponds and Mr. Casey stated they were, the specifics will need to be worked out and in compliance with the NPD permit. Mr. Casey said he was speaking with the Flint Riverkeeper, Mr. Gordon Rogers as to how that will work; Mr. Casey said they have a gentlemen's agreement to work together so that to get his input prior to submitting their NPD application. Mr. Casey stated they both think that is better for the both of them as Mr. Rogers has access to people that will respond better to him than to Mr. Casey. Commissioner Bass asked will there be a process to keep the detention pond(s) clean and Mr. Casey stated they will be required under the NPD permit to make sure it is effective and they are economically motivated to do that as well. Mr. Casey said erosion on that site will cause the footings for the panels themselves to potentially tilt and from an economic perspective they cannot afford to have that happen. Commissioner Bass asked if there was going to be more of the glare resistant on the panels and Mr. Casey stated that was true.

Commissioner Jarrett asked if the panels would rotate; Mr. Casey stated they would rotate from East to West in the morning and West to East in the evening. Commissioner Jarrett asked Mr. Casey to explain antiglare glass. Mr. Casey said as sunlight goes through the panel, it is basically intended to capture as much of the sunlight without reflecting it back out. He said so think of it as a mirror vs. something that is intended to capture, it is at least mirror like as it can be, because that allows the panels to capture more energy and more efficient.

Chairman Johnson wanted to know if they could talk to Mr. Gordon Rogers about this. Commissioner Jenkins suggested making a motion on the Environmental review and postpone the rest until the next meeting and have Mr. Gordon Rogers attend the next meeting.

**Motion/second by Commissioner Jenkins/Commissioner Jarrett to postpone decision regarding the Environmental Review Permit so they can gather more information and like that done before the next meeting, placed as an agenda item and to invite Mr. Gordon Rogers to the next meeting, motion carried 5-0.**

- f. **PUBLIC HEARING:** To receive public input on SE-14-05 – J. David and Kathy Hughes, property owners, and Beaufort Rosemary, LLC, applicant, are requesting a special exception in an A-R zoned district to allow for a solar photovoltaic farm / solar electricity generating facility on a portion of the subject property (+/-80 acres). The entire property, located at 1101 Williamson Zebulon Road, has approximately 2713 total feet of frontage along the west side of Williamson Zebulon Road, approximately 2555 total feet of frontage along the north side of County Farm Road, and approximately 750 total feet along the south side of Drew Allen Road. The entire property is located in Land Lots 1 and 32 of the 2nd District and Land Lots 225 and 256 of the 8<sup>th</sup> District of Pike County, Georgia. The entire property consists of 122.97 acres and is further identified as Tax Map Parcel #066 020. (A portion of the total property is within the city limits of Zebulon and is zoned industrial. This hearing pertains to the County portion only.)

**Combined with 9e. Public Hearing**

**Motion/second by Commissioner Jarrett/Commissioner Powers to postpone the final decision for items 9f. and 9g. and not set a future date until information is received, motion failed by 2-5 with Commissioner Bass, Commissioner Jenkins and Chairman Johnson opposing.**

**Motion/second by Commissioner Jenkins/Commissioner Bass to add items 9f. and 9g. to the August 13, 2014, motion carried 4-5 with Commissioner Jarrett opposing.**

**Commissioner Powers stated he wanted to rescind his motion to second the motion that Commissioner Jarrett made, he did not realize there would not be a date set.**

- g. **PUBLIC HEARING:** To receive public input on SE-14-06 – Stephen F. Brown Trustee for the Laura Brown Credit Shelter Trust and Chad Proctor, property owners, and Beaufort Rosemary, LLC, applicant, are requesting a special exception in an A-R zoned district to allow for a solar photovoltaic farm / solar electricity generating facility on a portion of the subject property (+/-100 acres). The entire property, located on County Farm Road, has approximately 2220 total feet of frontage along the south side of County Farm Road, approximately 100 feet of frontage along the east side of

County Farm Road. The entire property is located in Land Lot 15 of the 9th District of Pike County, Georgia. The entire property consists of 133.58 acres and is further identified as Tax Map Parcel #066 003.

**Combined with 9e. Public Hearing**

**See above motion.**

- h. Consider one appointment to the Pike County Family and Children Services Board to fill a five-year term set to expire June 30, 2019. *Applicant has met criteria.*

**Motion/second by Commissioner Powers/Commissioner Bass to appoint Helen E. Fordham to the Pike County Family and Children Services Board, motion carried 5-0**

- i. Consider authorizing a referendum for the November ballot allowing “the governing authority to issue licenses to sell distilled spirits for beverage purposes by the drink, such sales to be for consumption only on the premises”

**Motion/second by Commissioner Jenkins/Commissioner Jarrett to approve, motion carried 4-5 with Commissioner Bass opposing.**

**Motion/second by Commissioner Jenkins/Commissioner Powers to authorize the Chairman to sign the Resolution, motion carried 4-5 with Commissioner Bass opposing.**

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

**11. EXECUTIVE SESSION**

**12. ADJOURNMENT**

**Motion/second by Commissioner Powers/Commissioner Bass to adjourn at 8:49 p.m., motion carried 5-0.**

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Chairman, J. Briar Johnson

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County Clerk, Jo Ann Wrye