

**REGULAR MONTHLY MEETING
PIKE COUNTY BOARD OF COMMISSIONERS
May 26, 2009
6:30 pm**

The Pike County Board of Commissioners held their Regular Monthly Meeting on Tuesday, May 26, 2009 at 6:30 pm in the Commissioners meeting room located at 79 Jackson Street, Zebulon, Georgia. Members present were presiding Chairman Doug Mangham, Commissioner Roosevelt Willis, Commissioner Parrish Swift and Commissioner Don Collins. Also in attendance were County Attorney Rob Morton and County Manager Steve Marro. (O.C.G.A. § 50-14-1(e) (2)) Commissioner Powers was not present.

CHAIRMAN MANGHAM CALLED THE PIKE COUNTY COMMISSIONERS MEETING TO ORDER AND ASKED EVERYONE TO JOIN HIM IN THE PLEDGE OF ALLEGIANCE TO THE FLAG.

CHAIRMAN MANGHAM CALLED FOR APPROVAL OF THE AGENDA PURSUANT TO O.C.G.A. § 50-14-1(e) (1). The agenda was amended as follows:

Add to Executive Session-Personnel, discussion of Public Works Department disciplinary actions.

Add to New Business #4- The discussion of Intergovernmental Agreements for S.P.L.O.S.T.

MOTION

Commissioner Willis made the motion to approve the agenda as amended. Commissioner Collins seconded the motion. 3-0 vote.

CHAIRMAN MANGHAM CALLED FOR APPROVAL OF THE MINUTES OF THE REGULAR MONTHLY MEETING HELD WEDNESDAY, MAY 13, 2009 AT 9:00 AM PURSUANT TO O.C.G.A. § 50-14-1(e) (2)

Commissioner Willis stated that a few spelling errors were found but had already been corrected.

MOTION

Commissioner Willis made the motion to approve the minutes as corrected (Regular Monthly Meeting held May 13, 2009 at 9:00 am). Commissioner Collins seconded the motion. 3-0 vote.

CHAIRMAN MANGHAM CALLED FOR INVITED GUESTS

1. Donna Wynn, Pike County Tax Commissioner to discuss the Homestead Tax Relief Grant. Ms. Donna Wynn stated that every year since 2000, counties in Georgia have received money back from the state to pay a portion of every homesteaded property tax bill. In this current year, we won't be getting this which means that every homesteaded property if the mill rate stayed the same would go up \$217.00. Ms. Wynn said that Mr. Marro is just trying to make sure that everyone understood that this is all part of the budget. It is not anything that is going to come out of the County's budget or make the mill rate go up on the County's part. Instead of the money coming from the State of Georgia, the money will be coming from the taxpayers. This is the way, per Ms. Wynn, that it should have been done all along. Ms. Wynn asked the Commissioners if they had any questions for her. Commissioner Collins asked if Pike County has received the refund from the State for the 2008 tax billing. Ms. Wynn said that she was

told in class that the money should be received the first part of July. Commissioner Collins said that he was told in his training that the money was due by June 30th and said that half of the money would be mailed in May and the other half in June. Ms. Wynn reiterated that she was told in her class that the money would be sent in the early part of July and that the money would be sent all at the same time. The State is just waiting on approval to cut the checks per Wynn. Mr. Marro said that the taxpayer's bills will go up \$217.00 and that the millage rate would not go up. Ms. Wynn said that the legislature decided not to approve this Homestead Tax Relief Grant for this year. Mr. Marro said that the reason he asked Ms. Wynn to speak tonight was to remind the public that this is not a result of Pike County staff, the Tax Commissioner, Tax Assessor or the Board of Commissioners. It goes back to the legislature.

2. Deborah Campbell, Liberty National, to discuss providing no cost accidental death benefits to county employees. Ms. Campbell passed out information packets to the Board and stated that there would be absolutely no cost to the employees for this insurance. She stated that usually group term benefits do not go with the employee when they retire and said that this insurance would. Chairman Mangham asked about coverage for married children. Ms. Campbell said that they could be covered if they were under 18 years of age. Commissioner Collins asked if Liberty Mutual was one of the county's insurers. County Manager Marro said that they were not. Ms. Campbell said that the insurance would never go down in value or up in price. Commissioner Collins suggested referring this to the county manager. Mr. Marro said that he needed time to read the information. Commissioner Willis said that Ms. Campbell said that the insurance was at no cost but the paperwork said that there was a cost of \$10.00 per year. Ms. Campbell then said that the first year would be at no cost but that after the first year, there was a \$10.00 fee. Commissioner Willis told Ms. Campbell that she should not say that the insurance was at no cost when there was a cost associated.

CHAIRMAN MANGHAM CALLED FOR REPORTS FROM COMMISSIONERS, DEPARTMENTS AND COMMITTEES-MONTHLY REPORTS SUBMITTED FROM COUNTY DEPARTMENTS AND COUNTY AUTHORITIES.

Commissioner Swift said that he noticed in the CATF S.P.L.O.S.T report that Gary Hammock said that he thought that the cities should get a larger split of the S.P.L.O.S.T. Commissioner Swift said that he thought it was the other way around, that Mr. Hammock had said that the county should get a larger portion. Mr. Hammock was at the meeting and said that Commissioner Swift was correct, that he thought the county should get a larger split.

MOTION

Commissioner Swift made the motion to accept monthly reports with that amended (correction from S.P.L.O.S.T. committee minutes stating that Gary Hammock thought the cities should get a larger portion of the split. Mr. Hammock said that the county should get a larger portion, not the cities.). Commissioner Collins seconded the motion. 3-0 vote.

CHAIRMAN MANGHAM CALLED FOR REPORTS FROM COMMISSIONERS, DEPARTMENTS AND COMMITTEES-COUNTY MANAGER REPORT

Mr. Marro had no report.

CHAIRMAN MANGHAM CALLED FOR REPORTS FROM COMMISSIONERS, DEPARTMENTS AND COMMITTEES-COMMISSIONERS REPORT

District 1- Commissioner Willis asked about the Employee of the Quarter program. Mr. Marro said that the department heads are notified of this program each quarter but no nominations have been received.

Commissioner Willis then asked David Allen, Director of Planning and Development what would happen if he wanted to park some junk cars on his property to restore or for whatever reason. What would this property need to be zoned? Mr. Allen said that a repair shop would need to be in commercial zoning. Mr. Allen said that having one or two hobby cars is another thing. Cars with no tags or insurance would be considered junk cars and could be considered a code issue. Commissioner Willis asked if you have a business such as a repair shop then you can have junk cars? David Allen said that you get to a point where a certain number of cars becomes an eyesore. Commissioner Swift asked if that would then be considered a junkyard and then asked what would the zoning be of a junkyard. Mr. Allen said that it would need to be C-3 zoning. County Manager Marro said that the only legally permitted junkyard is the one by Blue Flame Gas.

Next, Mr. Willis said that he had received a complaint about a fence being put up at D&R 4 Wheel Drive and said that it is an eyesore to the neighbor next door. Mr. Willis said that he didn't think a fence had been put up and asked if anyone had followed up on this. Mr. Marro said that he had never heard of this before. Commissioner Willis said that he had come to Mr. Marro about this. Mr. Marro said that he did not remember this. Commissioner Willis said that someone out on Highway 109 had to put up a fence and that one would have to be put up at D&R. Commissioner Willis said that D&R is an eyesore to the neighbor. David Allen asked what the purpose of a fence at D&R would be. Was it to cover up the cars? Commissioner Willis said so that the neighbors wouldn't be looking at a junkyard when they walk out their door. Mr. Allen said that he had spoken to the owner of D&R and that the cars would be coming out. County Manager Marro asked if the cars were being removed. Mr. Marro said that if the situation is the same at D&R as it was on Highway 109 then it needed to be handled the same way. Commissioner Swift said that the cars at D&R were moved from where they used to be parked for the mud bogging.

Lastly, Commissioner Willis said that he had received a complaint from a citizen about code enforcement. He said that the citizen complained about a yard sale and was told that the ordinance had been adopted but was not being enforced. County Manager Marro said that he wanted to know who at that office told a citizen that, saying that he found it hard to believe that anyone at the Planning and Development office would tell someone that. David Allen said that nobody in that office said that. Commissioner Willis said that he'd find out who made that statement.

District 2-Commissioner Swift asked about Mr. Marro's certification, saying that it was contractual. Nancy Cook stated that Mr. Marro had taken all classes except for one which will not be offered until next year per ACCG.

Commissioner Swift then asked if someone had a preliminary plat for a minor or major subdivision and it needs to go to the Sheriff's office, Fire Chief, Public Works and the Board of Education, is the county going to implement common sense policy that will send those plats out to those departments rather than having the developer go to each one of those offices? Commissioner Swift said that he knew that this was in the ordinance and that this has been addressed at the Planning and Development office. Commissioner Swift said that the developer needed to be advised that the plat will take longer to turn around and didn't think that the developer should have to go to each of these offices. County Manager suggested that Commissioner Swift read Code 155.21 saying that is exactly what the code says.

District 3-Commissioner Powers was not present due to being in the hospital.

District 4-Commissioner Collins had no report.

Chairman Mangham had no report tonight.

**CHAIRMAN MANGHAM CALLED FOR REPORTS FROM COMMISSIONERS,
DEPARTMENT AND COMMITTEES-COUNTY ATTORNEY REPORT**

County Attorney Morton had no report.

CHAIRMAN MANGHAM CALLED FOR PUBLIC HEARINGS

1. Text Amendment to Chapter 156.139(A) Development Standards for PRD Districts
County Attorney Morton said that the Planning Commission had a small recommendation as a text amendment. David Allen said that the part about Highway 41 was deleted. Another change was the section that originally read "any portion thereof" was replaced by "at least fifty (50) percent of the property".

Chairman Mangham opened the public hearing portion.

Citizens speaking in favor:

John Morrison

Citizens speaking in opposition:

None.

Chairman Mangham closed the public hearing portion.

MOTION

Commissioner Collins made the motion to adopt changes as recommended by the Planning Board (Text Amendment to Chapter 156.139 (A) Development Standards for PRD Districts). Commissioner Swift seconded the motion. 3-0 vote.

Commissioner Swift asked for the ordinance that pertained to junk cars. County Attorney Morton said that the litter ordinance was at Chapter 151.04.

CHAIRMAN MANGHAM CALLED FOR UNFINISHED BUSINESS

1. Second Reading of the Pre-Disaster Mitigation Ordinance. Chairman Mangham asked if the Board had any questions. Commissioner Collins asked how many cities are going to participate in this and how many are not interested in participating. Mr. Marro said that he has not heard anything from Meansville and that Molena, Concord and Zebulon have had their first readings. Mr. Marro is meeting with Molena next month. Mr. Marro reiterated that if the cities are not part of the PDM, they are not eligible for assistance. Commissioner Collins asked what the deadline is. Mr. Marro said that the deadline is June 30, 2009.

MOTION

Commissioner Collins made the motion to adopt the Second Reading of the Pre-Disaster Mitigation Plan. Commissioner Willis seconded the motion. 3-0 vote.

CHAIRMAN MANGHAM CALLED FOR NEW BUSINESS

1. First Reading of the Pike County Fire District Ordinance. County Manager Marro said that this has been a work in progress since November of 2007. Some areas of this proposal still need to be worked out. Mr. Marro said that he has not spoken to Meansville on this but has spoken to Concord, Molena and Zebulon. This is designed to be a Pike County ordinance. The cities are not being forced or mandated to become part of this program. A Fire Tax District will be beneficial to the cities as well as the county. More revenue will be created and the fire department becomes more professional. Conversation with the city mayors has been extremely positive. This program and rates associated would have to be reviewed each year by the Board of Commissioners. A separate account would be established much the same as with E-911. All revenues raised by this fee would go into this account and stay in that account. The account would be completely controlled by the budget same as E-911. Any unspent funds would remain in that account and be used for shortfalls in equipment, facilities, trucks, etc. Most counties in the southeast United States use this. This shifts the burden from the millage rate to a fee per parcel rate. The parcel rate is escalated based on the appraised value of the parcel. If adopted, the new budget would not have a fire department line item. Mr. Marro said that two cities are ready to come on board now. ISO thinks that this is great for rural counties, saying that the counties have better control over ISO. Commissioner Swift asked if property in CUVA could be charged. Mr. Marro said that it could. Since this would be a fee and not part of the millage rate, property in CUVA could be charged, as well as churches which currently are not being charged. The fees are charged on an escalating scale.

A five minute break was taken at this time. (7:10 pm)

County Manager Marro brought his laptop into the meeting and gave specific examples based on citizen's property values. One example used was that of Carol and Jimmy Bass. Their current fire portion of their tax bill is \$34.71 and with the new program will increase to a fee of \$50.00, or an increase of \$15.29 per year. Per Farm Bureau Insurance, if the ISO rating in Pike County goes from a nine to an eight, each person would save around \$400.00 per year on their insurance. Bobby Blalock said that the City of Zebulon would not benefit from this. Chris Curry asked about the fees for agricultural property. Mr. Marro said that the fees were the same across the board with the exception of chicken houses due to the higher fire hazard. Several citizens voiced their opinions either for or against. It was stated that the idea is for the fire department to be self supporting. Mr. Marro said that this would be for the fire department's revenue only. Mr. Marro stated that ISO is not happy with the situation in Molena where they have only two or three people on the fire department. ISO says that a fire department needs six or more fire fighters. Commissioner Swift asked if this was approved would it to into effect with the next budget. County Attorney Morton said that it would go into effect with the new budget year. Mr. Marro said that tax bills would need to be backed off into September if this goes into effect. Some of the citizens suggested looking again at the fees for businesses saying that some citizen's fee would increase where some businesses would decrease. It was reiterated that the fees would need to be reviewed on a yearly basis by the Board of Commissioners.

MOTION

Commissioner Willis made the motion to accept as First Reading (Pike County Fire District Ordinance). Commissioner Collins seconded the motion. 3-0 vote.

2 Discussion of extending the work detail contract with the Georgia Department of

Corrections until June 30, 2010. Mr. Marro said that the new contract called for payment of \$39,500.00 per year which is the fee for the guard and a monthly payment of \$100.00 in maintenance on their vehicle. Pike County already pays for their gas. Mr. Marro said that Public Works has written this out of their budget. The work crew does not show up if it is too cold, too hot, too windy, etc. Mr. Marro said that it has taken two years to get the flower beds done at the courthouse. Commissioner Swift recommended cutting out the contract. Chairman Mangham said that the work crew spent more time smoking than working. Commissioner Collins suggested that County Manager Marro talk with Warden Sanders and insist that the work crew does a better job. Commissioner Willis agreed with Commissioner Collins saying that Mr. Marro needed to negotiate with the warden.

MOTION

Commissioner Collins made the motion to extend the contract with the Georgia Department of Corrections. Commissioner Willis seconded the motion. 3-0 vote.

3. FY 2009 Budget Amendment # 5 transferring funds to the Capital Outlay-Station Account from the Capital Asset-CD account. Commissioner Willis asked if this was the first or second time that money was transferred to this account. Mr. Marro said that it was the second time and that this is to cover the two motions that were done before. This is for the price to finish the Hollonville Station and the other one was for the concrete. Mr. Marro said that the Board was not asked to vote on a specific amount. Commissioner Willis said that he remembered that there was supposed to be around \$100,000.00 left after everything was paid. Mr. Marro said that was correct. Commissioner Willis asked what the amount of the first transfer was. Mr. Marro said that he didn't have that figure with him. Commissioner Willis asked again whether or not there would be \$100,000.00 left and Mr. Marro said that there would be.

MOTION

Commissioner Willis made the motion to approve FY 2009 Budget Amendment #5. Commissioner Swift seconded the motion. 3-0 vote.

4. Discussion of Intergovernmental Agreements for S.P.L.O.S.T. Commissioner Swift said that if the county/city split of the S.P.L.O.S.T. was 80/20 and there were excess funds then the county's 80% portion of these excess funds would need to go towards reducing debt. He asked County Attorney Morton if this is correct. Mr. Morton said that the cities would need to reduce their debt with any excess funds, also. Mr. Morton said that the S.P.L.O.S.T. law is very clear as to how excess funds are spent. Mr. Morton said that the way the last S.P.L.O.S.T. was done was that all of the money went to the county. Commissioner Collins said that the intergovernmental agreement would include the bond issue and the excess money if there was any collected. Commissioner Swift said that the county would incur the bond and then advance the cities their monies up front and that any overages would be split using the same percentage and that the cities would split any excess funds according to population and that overages would be used to reduce debt. Mr. Morton said that this is what was discussed and presented to the Board tonight. Mr. Morton said that the Board needed to give the county attorney authority to start preparing this agreement.

MOTION

Commissioner Swift made the motion to authorize the county attorney to prepare a draft intergovernmental agreement to address the bond issue and the division of excess funds. Commissioner Collins seconded the motion. 3-0 vote.

CHAIRMAN MANGHAM CALLED FOR EXECUTIVE SESSION

- Land Acquisition pursuant to O.C.G.A. § 50-14-3(4)
- Personnel-Discussion of staffing needs in the Commissioner's front office and Public Works Department disciplinary action pursuant to O.C.G.A. § 50-14-3(6)

MOTION

Commissioner Willis made the motion to go into Executive Session for land acquisition O.C.G.A. § 50-14-3(4); Personnel-Discussion of staffing needs in the commissioners front office pursuant to O.C.G.A. § 50-14-3(6) and to discuss personnel-Public Works disciplinary actions at 7:58 pm. Commissioner Collins seconded the motion. 3-0 vote.

MOTION

Commissioner Swift made the motion to go back into regular session at 8:28 pm. Commissioner Willis seconded the motion. 3-0 vote.

As a result of Executive Session:

MOTION

Commissioner Collins made the motion to direct the county manager to advertise for a county clerk, salary to be determined. Commissioner Willis seconded the motion. 3-0 vote.

CHAIRMAN MANGHAM CALLED FOR PUBLIC COMMENT

None

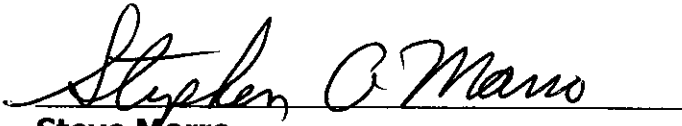
MOTION

Commissioner Collins made the motion to adjourn at 8:29 pm. Commissioner Willis seconded the motion. 3-0 vote.



**Chairman Doug Mangham
Pike County Board of Commissioners**

ATTEST:



**Steve Marro
County Manager**