

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

The Pike County Board of Commissioners held its Regular Monthly Meeting on Tuesday, November 29, 2022, at 6:30 p.m. in the Courthouse, Main Courtroom, at 16001 Barnesville Street, Zebulon. Chairman Briar Johnson convened the meeting and Commissioners Tim Daniel, Tim Guy, Jason Proctor and James Jenkins attended. County Manager Brandon Rogers, County Attorney Rob Morton and County Clerk Angela Blount were also present. (O.C.G.A. § 50-14-1(e) (2)).

- 1. **CALL TO ORDER**Chairman J. Briar Johnson
- 2. **INVOCATION**.....Karen Brentlinger
- 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 Commissioners Guy/Daniel to approve the agenda, motion carried 5-0.

- 5. **APPROVAL OF THE MINUTES - (O.C.G.A. § 50-14-1(e) (2))**
 - a. Minutes of the November 9, 2022, Regular Monthly Meeting.
 - b. Minutes of the November 9, 2022, Executive Session.
Motion/second by Commissioners Proctor/Guy to approve the November 9, 2022 Regular Monthly Meeting minutes, and the November 9, 2022 Executive Session minutes, 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. *There are no Department reports as they will be provided during the first Board meeting of December. Revenue/Expenditure Statement and Detail Check Register is included.*
Motion/second by Commissioners Daniel/Proctor to accept, motion carried 5-0.

- b. County Manager Report
 - Update on County finances for the following funds/accounts:
 - General Fund\$2,359,945.90
 - Fire Dept. Donations..... \$7,520.86
 - Cash Reserve Account.....\$467,520.93
 - Jail Fund \$38,175.96
 - E-911 Fund \$454,403.47
 - DATE Fund \$40,741.11
 - Juvenile Court Fund..... \$13,494.60
 - Residential Impact Fee \$1,108,715.85
 - Commercial Impact Fees \$163,952.74
 - C.A.I.P FUND \$178,745.17
 - General Obligation SPLOST Tax Bond Sinking Fund, 2016.....\$3,920.52
 - L.M.IG. Grant (DOT).....\$229,293.76

- c. County Manager Comment

County Manager Brandon Rogers stated the county did not meet the 30% match for the 2022 Georgia Department of Transportation, GDOT, Local Maintenance & Improvement Grant, LMIG. The county was able to complete the projects under projected costs. The county budgeted \$631,000 and completed all the projects at \$494,000. This has caused the county not to meet the 30% match required by GDOT. CM Rogers asked the Board to think of some other projects and they could discuss them at the next regular monthly meeting in December. If other projects are not done to meet the match, the county will have to pay money back to GDOT. Todd Goolsby, Director of Public Works, and the County Manager met and discussed some suggestions to include Blanton Mill Road which is on the LMIG project list for 2022 for the section between Beeks Road and Ward Road. Blanton Mill Road was going to be combined with the Special Purpose Local Option Sales Tax, SPLOST, project to do the whole Blanton Mill Road. The section of Blanton Mill Road that is on the LMIG is only \$65,000, not enough to cover the deficit that the county needs to make up. The county will need \$133,000 in projects to break even. Some other suggestions for projects were Blackmon Road where the new Fire Department will be built, Drew Allen Road has had a lot of issues, Cook Road has had a lot of issues with holes and potholes, and Blanton Mill Road. CM Rogers noted his concern with Blanton Mill Road doing it as a SPLOST project, it may be a couple of years out before the county has all the materials needed to start and the LMIG has a deadline. Commissioner Jason Proctor asked if it must be a paving project. CM Rogers replied that it does not have to be a paving project.

The Board of Commissioners office has been working with the County Attorney regarding a letter received from TORKLAW, a law firm, in reference to a fire on Shortcut Road in Molena.

CM Rogers stated he spoke with Dr. Michael Duncan with the Board of Education, and they are moving forward with an Education LMIG request, they are in the final stages of their planning process. The LMIG funding will help with improving the school traffic. The Board of Commissioners will have to request the LMIG funding on behalf of the Board of Education.

It is time to start planning the Employee Christmas luncheon that the Board of Commissioners does for the employees annually. In the past, it cost the county around \$10.00/per person. With inflation, the prices have increased. The owners of Concord Café have provided options of catering a meal to the employees at the Strickland Building. It will be one day only, and all the employees will all eat together instead of how it has been done in the past, expanded over a three-day period. One option that was provided is the Board of Commissioners serving at \$14.00/per person or the caterers can serve at \$17.00/per person. It was budgeted for \$5,800.00 for the Christmas Luncheon and Employee Appreciation. If the Board of Commissioners serve the Christmas Luncheon, it will cost the county around \$2,100.00. CM Rogers noted each year it is budgeted for around \$10.00/per person, and in this year's budget it was budgeted for a little more because of the price increases. Commissioner James Jenkins stated if the luncheon has a cost overrun that he is ok with the Commissioners chipping in if they are okay with it. The Christmas Employee luncheon is already in the budget.

Motion/second by Commissioners Proctor/Daniel to approve the Christmas Employee Luncheon with the Board of Commissioners serving the lunch, motion carried 5-0.

d. Commissioner Reports

District 1 – Commissioner Daniel – No report

District 2 – Commissioner Guy – No report

District 3 – Commissioner Proctor reminded everyone that the Impact Fees have been talked about a lot and they still need to be adjusted.

District 4 – Commissioner Jenkins noted that he and the Chairman signed some checks on the last check run and one was a purchase where Building Grounds spent \$180.00 on boots. The purchase was paid out of the uniform line item which caused Commissioner Jenkins to look at the uniform line items in the budget. The Board of Commissioners office is allowed \$300.00 for uniforms this year and has not been used in the last two years, Public Works has 25 employees and allowed \$100.00 for uniforms for this year, Animal Control has two employees and allowed \$200.00 for uniforms for this year and Building and Grounds has three employees and allowed \$750.00 for uniforms this year and was allowed \$500.00 for uniforms last year. In next year's budget, the Board will need to look at and make sure everything is equitable like it should be.

Commissioner Jenkins stated the County Managers insurance in the budget may have been a typographical error, requested \$923.00 and budget was approved and adopted with County Managers insurance of \$27,190.00.

Commissioner Jenkins wants to put forth that any spending over \$5,000.00 the Board of Commissioners will have to approve except for fixed expenses like Ranger Petroleum, electric bills and cell phone bills or fixed expenses that the county cannot control the price on. Commissioner Jason Proctor asked County Attorney Rob Morton to touch on this, is there a set limit now. County Attorney Rob Morton stated there is no limit in the policy. The County Manager is designated as the purchasing agent and has the authority to follow within the guidelines of the budget. The only limitations you have are set in the policy are thresholds for costs for certain services, materials and other items that might require oral bids, written bids, or sealed bids and there is a certain limitation under a certain amount that does not require any of that. County Attorney Rob Morton stated his recollection is that \$20,000.00 or more require sealed bids. There are a couple more thresholds. The Board of Commissioners can formulate a policy as long as it is not in violation of the law, they are the policy makers. County Manager Brandon Rogers clarified that the fireworks were not a donation to a church, the county paid a fireworks company, Pyrotec, to shoot off fireworks. Commissioner Jenkins stated the check stub stated a donation to Christ Chapel and he will leave it as that.

Motion/second by Commissioners Jenkins/Proctor to set a limit of any expense over \$5,000.00, except fixed expenses such as fuel and utilities, come before the Board of Commissioners for approval, motion carried 4-1 with Commissioner Daniel opposed.

Commissioner Tim Daniel stated this is a haphazard decision. County Attorney Rob Morton noted for clarification that this will require a text amendment and will have to be brought back to the Board of Commissioners.

At Large Chairman Briar Johnson stated the county has several Board vacancies. One for the J. Joel Edwards Library Board, one for the Three Rivers Regional Commission Board, one for the Pike County Industrial Development Authority, one for the McIntosh Trail Community Service Board, one for the Pike County Water and Sewerage Authority, one for the Agribusiness Authority to fill an unexpired term and two for the Agribusiness Authority to fill regular term, two for the Two Rivers RC & D Council and three for the Pike County Joint Board of Elections and Registration.

e. County Attorney Report to Commissioners

County Attorney Rob Morton stated the county was contacted by outside attorneys on the opioid lawsuit settlement. There are some distributions getting ready to take place and the County Manager or his designee will be handling the process to set up the portal to receive the funds. County Manager Brandon Rogers noted he has not received any emails on the portal and will have to get with the County Attorney.

The county did receive what looked like an open records request from TORKLAW, but it was not an open records request. It was a preservation of evidence notice related to the two young deaths that occurred from a result of a fire. County Attorney Rob Morton stated he contacted the law firm and spoke with the legal assistant that could not answer the question, is it your intent to sue the county and for what reason, the legal assistant stated he would give the County Attorney's contact information to the attorney. County Attorney Rob Morton noted he has not been contacted or heard anything.

8. UNFINISHED BUSINESS – NONE

9. NEW BUSINESS

- a. Approve/deny issuance of alcohol license (Pouring – beer, wine, and distilled spirits) for Tracy Wallace d/b/a Barnstormer’s Grill and Event Center, LLC, 349 Jonathan’s Roost Rd, Williamson, GA. *Applicant has met criteria.*

Motion/second by Commissioners Jenkins/Daniel to approve alcohol license renewal for Tracy Wallace d/b/a Barnstormer’s Restaurant Grill LLC, motion carried 5-0.

- b. Approve/deny the 2023 Board of Commissioners Regular Monthly Meeting Schedule.

Motion/second by Commissioners Guy/Proctor to approve the 2023 Board of Commissioners Regular Monthly Meeting Schedule, motion carried 5-0.

- c. Approve/deny the 2023 Holiday Schedule.

Motion/second by Commissioners Daniel/Proctor to approve the 2023 Holiday Schedule, motion carried 5-0.

- d. Consider Tax Refund Application from Manning/Vaughn in the amount of \$2,680.93.

Greg Hobbs, Chief Appraiser, addressed the Board stating a new construction in White Horse Subdivision, identified as Map# 039 Parcel# 128, property value \$337,792.00, house burned on February 13, 2022.

Motion/second by Commissioners Daniel/Proctor to approve the tax refund application from Manning/Vaughn in the amount of \$2,680.93, motion carried 5-0.

- e. First Reading of Text Amendment of the Pike County Code of Ordinances Title III: Administration, Chapter 30 Board of Commissioners, Section 30.03 I(2).

County Attorney Rob Morton stated in a previous meeting the Board of Commissioners asked for an additional language to be added to the existing policy related to the Department Heads. The policy has been modified with the addition of two words “and remove”. The policy was previously related to hire only.

Motion/second by Commissioners Guy/Proctor to approve the First Reading of Text Amendment of the Pike County Code of Ordinances Title III: Administration, Chapter 30 Board of Commissioners, Section 30.03 I (2), motion carried 5-0.

- f. **PUBLIC HEARING:** To receive public input regarding the first reading of the proposed text amendments intended to change all references in the Pike County Code to Planning Commission (PC) and Board of Appeals (BOA) to the new Pike Zoning Board (PZB).

Jeremy Gilbert, Director of Planning and Development, addressed the Board stating the request before them is for several text amendments to change the name of the Planning Commission and the Board of Appeals to the newly created Planning and Zoning Board. The Board of Commissioners amended Chapter 33 of the Pike County Code on May 31, 2022, combining the Planning Commission and the Board of Appeals, and creating the Planning and Zoning Board to take effect upon the board members being appointed. This requested text amendment is to replace all references to the Planning Commission and Board of Appeals in all other associated Chapters of the code by replacing the names with the newly created Planning and Zoning Board. The affected Chapters are as follows: Chapter 150 Building Regulations, Chapter 155 Subdivisions, Chapter 156 Zoning Code, Chapter 160 US Highway 19 and US Highway 41 Overlay District Ordinance and Chapter 164 Fence, Wall & Buffer Ordinance. Staff recommends approval of the text amendments.

No one came forth at the Public Hearing.

Motion/second by Commissioners Daniel/Guy to approve the First Reading of the proposed Text Amendments intended to change all references in the Pike County Code to Planning Commission (PC) and Board of Appeals (BOA) to the new Pike Zoning Board (PZB), motion carried 5-0.

- g. **PUBLIC HEARING:** To receive public input regarding SE-22-04. Peach State Aerodrome, owner and Keven Sasser, applicant request a special exception to allow residential pilot quarters in the C-2 Zoning District on a portion of Parcel ID 050 022 and 050 022A located on Jonathan’s Roost Road, Williamson, GA 30292 in Land Lots 232 and 249 of the 8th Land District. The property consists of 28.16 +/- acres. Commission District 4, Commissioner James Jenkins.

Jeremy Gilbert, Director of Planning and Development, addressed the Board stating the request before them is for a special exception to allow residential uses within the C-2 Zoning District. The applicant wants to allow private pilot quarters in some of the hangers in the development in particular buildings as identified on the proposed site plan attached. Based on the letter of intent provided by the applicant they are wanting this special exception to allow the new hangers that are planned for the development the ability to have a place in the hanger to allow for overnight quarters, an office, lounge area and a kitchenette to provide the pilots a place to stay when flying into the airpark to their hangers. Based on the criteria outlined in the code for special exceptions, it does meet all those requirements. The property is not currently in violation of the code. The Planning Staff recommends approval with two conditions: 1) The allowance of residential uses shall only be allowed on the 10 lots identified on the as-built survey provided as Lot A, Lot B, Lot C, Lot D, Lot E, Lot 1, Lot 2, Lot 3, Lot X and Lot Y, and 2) The

use of the building for residential shall be subordinate to the use of the building as a hanger. This special exception was heard by the Planning and Zoning Board on November 10, 2022, and the Planning Zoning Board recommended approval with three conditions: 1) The allowance of residential uses shall only be allowed on the 10 lots identified on the as-built survey provided as Lot A, Lot B, Lot C, Lot D, Lot E, Lot 1, Lot 2, Lot 3, Lot X and Lot Y, 2) The use of the building for residential shall be subordinate to the use of the building as a hanger, and 3) No individual driveways for the lots will be allowed from Jonathan Roost Road.

In Favor
No one came forth.

Opposed
Jody Shaw

Commissioner Tim Guy asked what the lot size is. The Planning and Development Director, Jeremy Gilbert, replied all the lots are existing lots. Commissioner Jason Proctor noted the lot sizes are 2 lots are 0.812 acres, 1.062 acres, 0.402 acres, 0.486 acres, 0.894 acres, 2 lots are 0.623 acres, and 2 lots are 0.377 acres. Commissioner Tim Guy asked if the lot sizes were calculated for septic systems. Gilbert replied yes, the hangars already have a bathroom in them. Commissioner James Jenkins thanked Mr. Shaw for coming and speaking. Chairman Briar Johnson stated his only concern is what prevents the owner from renting the living quarters. Mr. Gilbert replied that the applicant would have to have a special exception to rent the property.

Motion/second by Commissioners Jenkins/Proctor to approve SE-22-04 with four conditions, motion carried 5-0. Conditions are as follows:

- 1. The allowance of residential uses shall only be allowed on the 10 lots identified on the as-built survey provided as Lot A, Lot B, Lot C, Lot D, Lot E, Lot 1, Lot 2, Lot 3, Lot X and Lot Y.**
 - 2. The use of the building for residential shall be subordinate to the use of the building as a hanger.**
 - 3. No individual driveways for the lots will be allowed from Jonathan’s Roost Road.**
 - 4. 1200 square foot maximum limitation on the living quarters.**
- h. **PUBLIC HEARING:** To receive public input regarding SE-22-05. Joshua Denton, owner and applicant, request a special exception to operate a general home occupation for property located at 264 Walker Road, Meansville, GA 30256 in Land Lot 89 of the 8th Land District, further identified as Parcel ID 093 035CB. The property consists of 3.0 +/- acres and the request is to allow the parking of three trucks in association with a general home occupation. Commission District 3, Commissioner Jason Proctor.

Jeremy Gilbert, Planning and Development Director, addressed the Board stating the special exception before them is to allow a general home occupation on the subject property. The applicant is requesting the general home occupation to allow the parking of three bucket trucks that have a weight of less than 15,000 pounds each. The business is a telecommunication business that works in the area providing maintenance work. According to the ordinance all associated vehicles with the home occupation have to be parked in the rear yard or side yard. Currently, the trucks are parked in the front yard and would need to be relocated to meet the code requirements. Also, the code limits the number of employees that do not reside at the location to two and states that the use cannot cause a nuisance to the neighborhood. The Staff recommends approval of this special exception with four conditions: 1) No more than two employees not residing on the property can be employed by the general home occupation, 2) All vehicles associated with the home occupation shall be parked in the side or rear yard, 3) No continual open outside storage of materials or supplies shall be allowed on the property and 4) The home occupation shall not cause a nuisance to the neighborhood. This special exception was heard by the Planning and Zoning Board on November 10, 2022, and the Planning and Zoning Board recommended denial of this request. The applicant did not show up for the Planning and Zoning Board meeting and the applicant was not present at the Board of Commissioners meeting.

In Favor
No one came forth.

Opposed
No one came forth.

Commissioner Jason Proctor stated the county does not need the wear and tear on this road. He received a call this week about this road, and it was not related to this item. Commissioner Proctor recommends denial and the Industrial Development Authority, IDA, talk with the owner.

Motion/second by Commissioners Proctor/Guy to deny SE-22-05, motion carried 5-0.

10. PUBLIC COMMENT - NONE

11. EXECUTIVE SESSION

- a. Chairman Briar Johnson requests an Executive Session for 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), germane to personnel.
- b. Chairman Briar Johnson requests an Executive Session to discuss the possible acquisition of real property pursuant to O.C.G.A. 50-14-3 (b)(1).
- c. County Attorney Rob Morton requests an Executive Session for 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), germane to potential litigation.

Motion/second by Commissioners Daniel/Guy to adjourn Regular Session and enter into Executive Session at 7:57 p.m., motion carried 5-0.

****Commissioner James Jenkins left the meeting at 7:57 p.m.****

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 11-29-2022.

2.

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

3.

The executive session was called to order at 7:57 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*);

Yes 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 – Germane to authorizing negotiations to purchase, dispose of or lease property.

Pike County Board of Commissioners:

J. Briar Johnson, Chairman	(L.S.)
Tim Daniel, Commissioner	(L.S.)
Tim Guy, Commissioner	(L.S.)
Jason Proctor, Commissioner	(L.S.)

This the 29th day of November 2022.

Sworn to and subscribed

Before me this 29th day of November 2022.

Robert L. Morton
Morton & Morton Associates
County Attorney and Notary Public

My commission expires: August 10, 2026.

Motion/second by Commissioners Daniel/Proctor to adjourn Executive Session and enter into Regular Session at 8:45 p.m., motion carried 4-0.

12. ADJOURNMENT

Motion/second by Commissioners Proctor/Guy to adjourn at 8:45 p.m., motion carried 4-0.

J. Briar Johnson, Chairman

Angela Blount, County Clerk