

**PUBLIC HEARING AND REGULAR MONTHLY MEETING, PIERCE COUNTY
BOARD OF COMMISSIONERS, TUESDAY, JANUARY 02, 2007 AT 6:30 P.M.**

Board Members Present:

James Dennison, Chairman
K. Neal Bennett, Board Member
Mike Streat, Board Member
Randy Dixon, Board Member
Aldeen Davis, Board Member

News Media Present:

The Blackshear Times
The Pierce County Press

CALL TO ORDER: Chairman James Dennison called the public hearing and regular monthly meeting to order at 6:34 P.M.

Commissioner Neal Bennett gave the invocation and led the audience in the Pledge of Allegiance.

Chairman James Dennison addressed the audience stating that he intended to stick to the agenda as close as possible. Chairman Dennison stated that “each administration does thing differently and this is how I want to conduct business, adding items to the agenda at the last minute and at the meeting itself defeats the purpose of an agenda and causes the commissioners to make spur of the moment uniformed decisions.” He also stated that when items are added not enough time is given to consider the request and not enough information is presented for the board to make the right decision. Chairman Dennison wants the public to call the Commissioners’ office to be placed on the agenda.

A.J. Strickland: Chairman James Dennison presented a plaque to A.J. Strickland for 18 years of service as County Commissioner District 3. Mr. Strickland stated that he has been privileged to serve the citizens of Pierce County for the past 18 years and to work under four County Chairmen, Forrest Sweat, Bobby Howard, Troy Mattox and Mitch Bowen. Mr. Strickland also stated that he appreciated the education that he had received from Pierce County and he hopes that he will continue to be an asset to Pierce County.

PUBLIC HEARING:

The purpose of this public hearing is to receive public input on the request from Jay Davis for the abandonment of a portion of Jordan Road (CR 229) and Jacks Road (CR 225) and rerouting a portion of Jordan Road (CR 229).

Those present included:

Jim Dennison
K. Neal Bennett

Mike Streat
Randy Dixon
Aldeen Davis

Nicole Wood
Lynn Altman
Jason Deal
Ed & Gwen Timmerman
Charles L. Broady
Leonard Roberts
Kenneth Justice
Amy Hitt
Tom Davis
M.O. Strickland
Joey Walker
William Sauls
Marty Clifton
Edward L. Morris

Chairman James Dennison called for public input on the request from Jay Davis. No discussion from the audience.

Chairman Dennison closed the Public Hearing

REGULAR MONTHLY MEETING:

APPROVAL OF MINUTES: Chairman James Dennison called for the approval of the December 2006 minutes. Commissioner Mike Streat made a motion to approve the December 2006 minutes. Commissioner Neal Bennett seconded the motion. Commissioner Neal Bennett voted aye, Commissioner Mike Streat voted aye, Commissioner Randy Dixon voted aye, and Commissioner Aldeen Davis voted aye. Motion carried.

CONSIDER APPROVAL OF THE MONTHLY INVOICES FOR THE COURTHOUSE RENOVATION PROJECT: The December 2006 invoices for the Courthouse project totaled \$112,765.69. Commissioner Mike Streat made a motion to approve the December 2006 invoices totaling \$112,765.69. Commissioner Neal Bennett seconded the motion. Commissioner Neal Bennett voted aye, Commissioner Mike Streat voted aye, Commissioner Randy Dixon voted aye, and Commissioner Aldeen Davis voted aye. Motion carried.

PLANTATION BLINDS AND SHUTTER COMPANY-CHANGE ORDER-Nicole Wood, County Administrative Supervisor, presented a change order from Plantation Shutter and Blind for five (5) additional wood blinds and one (1) sunburst arch to match the existing blinds. The cost will be \$7,629.00, which includes installation. Commissioner Neal Bennett made a motion to approve the change order for the blinds at

the Courthouse. Commissioner Mike Streat seconded the motion. Commissioner Neal Bennett voted aye, Commissioner Mike Streat voted aye, Commissioner Randy Dixon voted aye and Commissioner Aldeen Davis voted aye. Motion carried.

CONSIDER APPROVAL OF A REQUEST FROM JAY DAVIS FOR THE ABANDONMENT OF A PORTION OF JORDAN ROAD (CR 229) AND JACKS ROAD (CR 225) AND REROUTING A PORTION OF JORDAN ROAD (CR 229):

A Public Hearing was held prior to the regular meeting to receive public input on the request of Jay Davis for the abandonment of a portion of Jordan Road (CR 229) and Jacks Road (CR 225) and rerouting a portion of Jordan Road (CR 229). No public objections were raised at the Public Hearing. County Administrative Supervisor Nicole Wood stated that all criteria have been met. Commissioner Neal Bennett made a motion to approve the request of Jay Davis for the abandonment of a portion of Jordan Road (CR 229) and Jacks Road (CR 225) and rerouting a portion of Jordan Road (CR 229). Commissioner Mike Streat seconded the motion. Commissioner Neal Bennett voted aye, Commissioner Mike Streat voted aye, Commissioner Randy Dixon voted aye and Commissioner Aldeen Davis voted aye. Motion carried.

MAYOR TOM DAVIS-REQUEST AUTHORIZATION FROM COUNTY FOR WATER LINE EXTENSION FOR PROPOSED ELEMENTARY SCHOOL AND HWY 203 FOR DEVELOPMENT:

Mayor Tom Davis came before the board seeking approval on extending water lines to the proposed Pierce County Board of Education's elementary school and a subdivision project on Hwy 203.

Commissioner Neal Bennett wanted to know if the city was going to annex the property on Hwy 203 into the city. Mayor Tom Davis answered no.

County Attorney Franklin Rozier wanted to know if the county would have to secure right-of-way deeds on the property for the elementary school.

Commissioner Mike Streat stated that he was not in favor of approving the request for the school, right now, because he felt that there were too many unanswered questions. Commissioner Streat stated that he felt that the board could grant the request for water to the Hwy 203 project. He also wanted to know if the board could get the plans on the subdivision planned on Hwy 203.

Mayor Tom Davis said that if the developers did not get approval from the board, they may not start the project.

Commissioner Aldeen Davis stated that the Comprehensive Plan allowed for the city to have water extended, since the county doesn't have a water system and he was in favor of granting the request for water to the school. Commissioner Aldeen Davis pointed out that the permission for both projects was only provisional and a lot more questions to be answered and a lot more approvals before the work could begin.

Commissioner Aldeen Davis made a motion to give preliminary approval for water line extensions for a proposed new elementary school and a subdivision project on Hwy 203. Commissioner Mike Streat seconded the motion. Commissioner Neal Bennett voted aye, Commissioner Mike Streat voted aye, Commissioner Randy Dixon voted aye and Commissioner Aldeen Davis voted aye. Motion carried.

DISCUSSION ON ISSUANCE OF CONDITIONAL USE PERMITS: Gene

Whaley-Mr. Whaley came before the board to ask the board to reconsider the conditional use permit granted to John Thomas at 5761 Yellow Bluff Road. The permit allows Mr. Thomas to have an aviary for exotic and ornamental birds. Mr. Whaley stated that his neighbors and he had presented all the objections to the Planning Commission and he thought that it would be over with. Mr. Whaley stated that aviary poses a health threat, are noisy and located too close to adjoining property owners. The tracts in the subdivision are only five acres lots and the aviary is located only about 100 feet from the nearest home.

Commission Chairman Jim Dennison said that he took a trip out to the area to see what kind of problems the birds were causing. Mr. Dennison stated that “I went out and stood by the road and I didn’t hear anything, but it was late and the guess the birds could have been asleep.” Chairman Dennison said the he had Community Amy Hitt to go out to the property and measure the distance between the aviary and the neighbors. Mrs. Hitt stated that she estimated the birds are about 350 feet away from the adjoining property owners.

Commissioner Neal Bennett said that he didn’t understand the controversy. He stated “that the request went through the proper channels and was properly advertised and there didn’t seem to be a problem with it then.”

Mr. Whaley than asked why the board granted the permit and accused the board of spot zoning. He again asked the board to reconsider the permit and perhaps cancel it.

Commissioner Mike Streat asked for a legal opinion from County Attorney Franklin Rozier on how the county should address this issue.

County Attorney Rozier stated that to take back the permit would mean the county would have to file an injunction against Mr. Thomas and that could possible result in a lawsuit and legal fees. County Attorney Rozier asked “do you want us to sue Mr. Thomas? We would have to use taxpayers’ money to engage in what would be a lengthy legal battle. We don’t have any grounds legally to deny him the permit.” Mr. Rozier also felt that this is a personal matter between neighbors and there is no public issue to be decided. He added that the health department has not told the county that the birds pose any kind of health problems.

Mr. Whaley then again asked the board to reconsider the issue.

At this point, Commissioner Mike Streat called for a point of order to cut off the debate and to restore order.

Chairman Jim Dennison ruled the point of order was valid and moved forward on the remaining agenda.

CONSIDER APPROVAL OF AN INVOICE FROM THE CITY OF PATTERSON FOR IMPROVEMENTS ON PEACH STREET: County Administrative Supervisor Nicole Wood presented a request from the City of Patterson for \$40,000.00 in SPLOST monies for improvements to Peach Street. This is part of the Community Development Block Grant for improvements completed in the Tyre Bridge Road area. Commissioner Aldeen Davis made a motion to approve the request for SPLOST funds in the amount of \$40,000.00 for improvement to Peach Street. Commissioner Randy Dixon seconded the motion. Commissioner Neal Bennett voted aye, Commissioner Mike Streat voted aye, Commissioner Randy Dixon voted aye and Commissioner Aldeen Davis voted aye. Motion carried.

DISCUSSION ON A RECOMMENDATION FROM THE GRAND JURY TO INCREASE THE BOARD OF EQUALIZATION SALARY: Nicole Wood, County Administrative Supervisor, presented a letter from the Pierce County Grand Jury stating that at the request of the Pierce County Board of Equalization, the Grand Jury approved a pay increase from \$30.00 to \$50.00 per meeting for the board members. County Attorney Franklin Rozier stated that the compensation pay is set by the state. Commissioner Neal Bennett made a motion to table the discussion until the board can review the compensation of all similar boards and to act on the matter at the February board meeting. Commissioner Aldeen Davis seconded the motion. Commissioner Neal Bennett voted aye, Commissioner Mike Streat voted aye, Commissioner Randy Dixon voted aye and Commissioner Aldeen Davis voted aye. Motion carried.

CONSIDER APPROVAL OF THE 2007 CALENDAR YEAR BUDGET AND CONTRACT FOR INDIGENT DEFENSE SERVICES: County Administrative Supervisor Nicole Wood presented a letter from Mr. J. Clayton Culp from the Waycross Judicial Circuit Defender's Office regarding the 2007 calendar year budget and contract. The county will pay \$10,780.10 for operating expenses and \$36,926.23 for personnel expenses. The total cost for the county will be \$48,029.49. The cost of the funding is based on population and is split between the six counties in the Waycross Judicial Circuit with Pierce County paying 13%. Commissioner Aldeen Davis made a motion to approve the 2007 calendar year budget and the 2007 contract for indigent defense services. Commissioner Mike Streat seconded the motion. Commissioner Neal Bennett voted aye, Commissioner Mike Streat voted aye, Commissioner Randy Dixon voted aye and Commissioner Aldeen Davis voted aye. Motion carried.

DISCUSSION ON APPOINTMENT TO RDC BOARD: County Administrative Supervisor Nicole Wood presented a letter from Lace Futch, Executive Director of the Southeast Georgia Regional Development Center requesting that Pierce County appoint an at-large and minority representative to the SE GA RDC Board. Commissioner Aldeen Davis made a motion to reappoint the present board member, Neal Bennett as its representative, Ellis Lovett as it at large representative and Gervin Roberson as the minority representative based on all nominees agreeing to serve and being ratified by the Blackshear City Council. Commissioner Mike Streat seconded the motion. Commissioner Neal Bennett voted aye, Commissioner Mike Streat voted aye, Commissioner Randy Dixon voted aye and Commissioner Aldeen Davis voted aye. Motion carried.

EXECUTIVE SESSION: PERSONNEL:

Chairman Jim Dennison called for a motion to adjourn into executive session to discuss personnel matters at 7:32 P.M. Commissioner Aldeen Davis made a motion to adjourn into executive session. Commissioner Mike Streat seconded the motion. Motion carried.

Chairman Jim Dennison reconvened the regular monthly meeting at 8:45 P.M. Chairman Dennison announced that no action had been taken in the executive session.

County Administrative Supervisor Nicole Wood announced that the February 2007 board meeting needs to be changed from February 06 to February 08 due to the commissioners and the county clerk attending training. Commissioner Neal Bennett made a motion to change the February board meeting and to place an ad in The Blackshear Times. Commissioner Mike Streat seconded the motion. Commissioner Neal Bennett voted aye, Commissioner Mike Streat voted aye, Commissioner Randy Dixon voted aye and Commissioner Aldeen Davis voted aye. Motion carried.

Having no further business, the January 2007 regular board meeting was adjourned.

James Dennison, Chairman

K. Neal Bennett, Board Member

Mike Streat, Board Member

Randy Dixon, Board Member

Aldeen Davis, Board Member

**CALLED MEETING, PIERCE COUNTY BOARD OF COMMISSIONERS,
MONDAY, JANUARY 22, 2007 AT 6:30 P.M.**

Board Members Present:

James Dennison, Chairman
K. Neal Bennett, Board Member
Mike Streat, Board Member
Randy Dixon, Board Member
Aldeen Davis, Board Member

News Media Present:

The Blackshear Times
The Pierce County Press

CALL TO ORDER: Chairman Jim Dennison called the meeting to order at 6:33 P.M.

INVOCATION AND PLEDGE OF ALLIGENCE: Chairman Dennison asked Jason Deal to give the invocation and led the audience in the Pledge of Allegiance.

DISCUSSION ON PIERCE COUNTY INDUSTRIAL DEVELOPMENT

AUTHORITY: Chairman Dennison stated that he would like to table this discussion until the February 2007 meeting.

DISCUSSION ON COUNTY ATTORNEY LEGAL FEES: Chairman Jim Dennison stated that he had spoken with County Attorney Franklin Rozier regarding an increase in the salary of the county attorney. The present salary is at \$300.00 per month and he would like to raise this to \$500.00. Commissioner Aldeen Davis wanted to know if this rate was more in line with the surrounding counties. Chairman Jim Dennison stated that he had checked around and this rate was reasonable. Commissioner Aldeen Davis made a motion to increase the county attorney's salary from \$300.00 per month to \$500.00 per month. Commissioner Randy Dixon seconded the motion. Motion carried.

DISCUSSION ON APPOINTMNET TO THE PIERCE COUNTY LIBRARY

BOARD: County Attorney Franklin Rozier stated that Margie Wallace's term on the Pierce County Library Board has expired and that she wished to serve another four (4) year term. The present members include Frank Sisk, Franklin Rozier, Margie Wallace and Anna Perez, who has resigned from the board. County Attorney Rozier stated that the Library Board would like to appoint Diane Strickland to serve out the unexpired term of Anna Perez. Commissioner Neal Bennett made a motion to re-appoint Margie Wallace for another four (4) year term and the table the discussion on the unexpired term of Anna

Perez until the February 2007 meeting. Commissioner Aldeen Davis seconded the motion. Motion carried.

EXECUTIVE SESSION-PERSONNEL:

Chairman Jim Dennison called for a motion to adjourn into executive session to discuss personnel at 7:44 P.M. Commissioner Aldeen Davis made a motion to adjourn into executive session. Commissioner Randy Dixon seconded the motion. Motion carried.

Chairman Jim Dennison called the meeting back into session at 8:55 P.M.

CHAIRMAN'S SALARY: County Attorney Franklin Rozier stated that the base salary for the Chairman will have to be adjusted due to the new state law that allows the chairman and commissioners to receive COLA raises. Commissioner Neal Bennett made a motion to set the Chairman's salary at \$55,500 plus any COLA that apply. Commissioner Randy Dixon seconded the motion. Motion carried.

COMMUNITY DEVELOPMENT DIRECTOR & CODE ENFORCEMENT OFFICER: Chairman Jim Dennison announced that the two (2) positions for Community Development Director and Code Inspector will be advertised for three (3) weeks with February 16, 2007 the due date for the applications. Commissioner Aldeen Davis made a motion to advertise the two positions. Commissioner Neal Bennett seconded the motion. Motion carried.

BUDGETED RAISE FOR COUNTY EMPLOYEES: Commissioner Aldeen Davis made a motion to approve the 3% raise for county employees. Commissioner Neal Bennett seconded the motion. Motion carried.

CLERK OF COURT: PART-TIME POSITION TO FULL TIME-Thomas Sauls, Clerk of Court, had requested that his part-time position be moved to a full time position. Commissioner Aldeen Davis made a motion to move the part-time position to full time in the Clerk's office. Commissioner Randy Dixon seconded the motion. Motion carried.

SHERIFF'S OFFICE: Sheriff Richard King has requested one (1) full and one (1) part time position for court security at the Courthouse. Commissioner Neal Bennett made a motion to hire one (1) full time and one (1) part-time position for the Sheriff's Office. Commissioner Randy Dixon seconded the motion. Motion carried.

Having no further business, Commissioner Aldeen Davis made a motion to close the called meeting and Commissioner Randy Dixon seconded the motion. Motion carried.

James Dennison, Chairman

K. Neal Bennett, Board Member

Mike Streat, Board Member

Randy Dixon, Board Member

Aldeen Davis, Board Member