

**PIERCE COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
TUESDAY, NOVEMBER 6, 2018 AT 6:00 PM**

**CALL TO ORDER** – Chairman Bennett called the meeting to order at 6:00 PM.

**INVOCATION/PLEDGE OF ALLEGIANCE** – Commissioner Mike Streat gave an invocation and led the pledge of allegiance.

**MINUTES**

October 2, 2018 Regular Meeting Minutes

Commissioner Randy Dixon made a motion to approve the minutes from the October 2, 2018 regular meeting. Commissioner Mike Streat seconded the motion. All voted aye. Motion approved.

**PUBLIC COMMENTS**

1. Edsel Collins, Rev Morris Pate – Update on paving Session Hill & schedule a clean up day with container. Mrs. Dorothy Collins spoke on behalf of the community and asked for an update on the paving of the community. County Manager Rubenbauer shared that this project was included in the TIA and should be done in the first band of projects. Chairman Bennett stated that they should see some progress next year. Chairman Bennett also stated that he would see about getting a dumpster for a community clean-up day.

Commissioner Harold Rozier made a motion to get a dumpster and clean up day set for the Session Hill community. Commissioner Randy Dixon seconded the motion. All voted aye. Motion approved.

2. Jim Durrance, Georgia Forestry – Annual Report Chris Carter shared the annual statistics for Pierce County for the previous year, July 17 – June 18. Mr. Carter shared that there are 3 rangers in this area. There were 12,345 permit issued, 5 assisted burns, 47 wildfires with the average for Pierce county being down and 35 programs.

**GENERAL BUSINESS**

3. County Manager Report – County Manager Jason Rubenbauer shared that revenues are up 6%, our LOST collections are up and that the Road Department expenditures are up. Congratulation to all the Pierce County Region Champs. Have completed the final inspection on County Farm Road and waiting on GDOT to accept it.
4. Consideration of request to close Correia Trail by Scott Swain. Chairman Bennett asked to take this off the table and have more discussion.

Commissioner Mike Streat made a motion to take the consideration of closing Correia Trail off the table to be discussed. Commissioner Randy Dixon seconded the motion. All voted aye. Motion approved.

Attorney James Burchett on behalf of Scott Swain submitted that Scott Swain would like to withdraw his petition to close the road.

Commissioner Randy Dixon made a motion to allow Scott Swain to withdraw his petition to close Correia Trail. Commissioner Mike Streat seconded the motion. All voted aye. Motion approved.

5. Request to approve bid on Workers Compensation Insurance. Chairman Bennett presented that there were two proposals sent in ACCG, our current carrier, gave a quote of \$102,008.00 and McNeal & Sports Ins. gave a quote of \$100,593.00. The recommendation to continue with ACCG was met with some questions from the commission. Commissioner Harold Rozier asked for some additional information on the difference in price.

Commissioner Harold Rozier made a motion to table approval. Commissioner Randy Dixon seconded the motion. All voted aye. Motion approved.

6. Request to surplus some old vehicles that they can be sold at the next Sheriff Sale.

Commissioner Mike Streat made a motion to approve the surplus list to include 87GMC – vin#32630, 95Ford – vin#03094, 00Tarus – vin#55299, 08CV – vin#36308, and 99CV – vin#13541. Commissioner Harold Rozier seconded the motion. All voted aye. Motion approved.

7. Request to approve Authorizing Resolution for the county to apply for the Section 5311 – Transit Program Grant for FY2020.

**AUTHORIZING RESOLUTION**

**RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION AND THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FOR A GRANT FOR PUBLIC TRANSPORTATION ASSISTANCE UNDER SECTION 5311 OF THE FEDERAL TRANSIT LAWS UNDER CHAPTER 53 OF TITLE 49 OF THE UNITED STATES CODE.**

**WHEREAS**, the Federal Transit Administration and the Georgia Department of Transportation are authorized to make grant to non-urbanized (rural) areas for mass transportation projects; and

**WHEREAS**, the contract for financial assistance will impose certain obligations upon applicant, including the provision by it of the local share of project costs; and

**WHEREAS**, it is required by the United States Department of Transportation and the Georgia Department of Transportation in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Federal Transit Act, the applicant gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and under the United States Department of Transportation requirements there under; and

**NOW THEREFORE, BE IT RESOLVED BY Pierce County hereinafter referred to as the "APPLICANT",**

1. That the Chairman, Pierce County Board of Commissioners hereinafter referred to as the "Official is authorized to execute and file an application on the behalf of the Applicant, a City/County government, with the Georgia Department of Transportation to aid in the financing of public transportation assistance pursuant to Section 5311 of the Federal Transit Act."
2. That the Official is authorized to execute and file such application and assurances or any other document required by the U.S. Department of Transportation and the Georgia Department of Transportation effectuating the purpose of Title VI of the Civil Rights Act of 1964.
3. That the Official is authorized to execute and file all other standard assurances or any other document required by the Georgia Department of Transportation or the U.S. Department of Transportation in connection with the application for public transportation assistance.
4. That the Official is authorized to furnish such additional information as the U.S. Department of Transportation or the Georgia Department of Transportation may require in connection with the application of the project.
5. That the Official is authorized to execute grant contract agreements on behalf of the Applicant with the Georgia Department of Transportation in connection with the application for public transportation assistance.
6. That the applicant while making application to or receiving grants from the Federal Transit Administration will comply with FTA Circular 9040.1F, FTA Certifications and Assurances for Federal Assistance 2013 as listed in **Appendix M** and General Operating Guidelines as illustrated in **Appendix D** of the Georgia State Management Plan and Administrative Guide for Rural Public Transportation Programs.
7. That the Applicant has or will have available in the General Fund the required non-federal funds to meet local share requirements.

**EXHIBIT 7**

**APPROVED AND ADOPTED this\_6th\_day of \_November\_, 2018.**

\_\_\_\_\_  
**Authorized Official**  
Neal Bennett, Chairman  
**Type Name and Title**

**Signed, sealed and delivered this\_6th\_day of \_November\_, 2018 in the presence of**

\_\_\_\_\_  
**Witness**

\_\_\_\_\_

Notary Public/Notary Seal

**CERTIFICATE**

The undersigned duly qualified and acting County Clerk of **Pierce County, County Clerk, Amy Hitt** certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting held on

November 6, 2018

Amy Hitt \_\_\_\_\_  
Name of Certifying/Attesting Officer

County Seal

\_\_\_\_\_  
County Clerk  
Title of Certifying/Attesting Officer

Commissioner Randy Dixon made a motion to approve the authorizing resolution. Commissioner Harold Rozier seconded the motion. All voted aye. Motion approved.

8. Request to approve 2019 Meeting schedule.

January 8, 2019  
February 5, 2019  
March 5, 2019  
April 2, 2019  
May 7, 2019  
June 4, 2019  
July 2, 2019  
August 6, 2019  
September 3, 2019  
October 1, 2019  
November 5, 2019  
December 3, 2019

Commissioner Randy Dixon made a motion to approve the schedule for 2019 as presented. Commissioner Harold Rozier seconded the motion. All voted aye. Motion approved.

9. Appointment of Susan Sweat to the Pierce County Library Board to serve a 4 year term beginning Jan 1, 2019.

Commissioner Randy Dixon made a motion to appoint Susan Sweat to the Pierce County Library Board. Commissioner Harold Rozier seconded the motion. All voted aye. Motion approved.

10. Approve Resolution for CDBG application. Linda Carrol, Governmental Consulting Inc, shared that Pierce County had been awarded CDBG grants from 2007 – 2017 over 2.636 million dollars for street and drainage improvements. There aren't a lot of road projects available that will qualify so would like to try for a senior center and adult education building. Brian Singleton with Concerted Services shared that the current senior facility is adequate but there isn't much room for growth and there are some security concerns

with the layout of the current building, a lack of outdoor space and an active aging community. Kelly Peacock, Coastal Pines Tech College shared that the adult education program when it was in Blackshear was serving about 80-90 students and since moving to Patterson they are serving between 30-40 students so they were receiving better participation in Blackshear. Linda Carrol shared that DCA changed the amount that it will award in the last year so now there is \$750,000 per grant but there is still a match require of the local government. The resolution presented is the first step in the process.

**RESOLUTION OF PIERCE COUNTY, GEORGIA  
TO SUBMIT AN APPLICATION TO OBTAIN 2019 COMMUNITY DEVELOPMENT BLOCK  
GRANT FUNDING**

**WHEREAS**, Pierce County has identified a need for a new multifaceted facility that would be available not only to seniors through the senior citizen program but also individuals who lack a high school degree or its equivalent through the adult education program. This project will directly assist low and moderate-income persons of Pierce County

**WHEREAS**, Pierce County lacks sufficient funds to address the identified need; and

**WHEREAS**, the Georgia Department of Community Affairs Community Development Block Grant (CDBG) program has funds to assist Pierce County in addressing this need;

**THEREFORE**, be it resolved that Pierce County will submit a Community Development Block Grant application for the 2019 round of competition to the Georgia Department of Community Affairs to address the identified need and authorizes the Chairman as the official representative to act in connection with the application.

**SO RESOLVED** this 6<sup>th</sup> day of November, 2018.

\_\_\_\_\_  
Signature of Chairman  
(SEAL)

\_\_\_\_\_  
Signature of County Clerk

Commissioner Mike Streat made a motion to approve the Resolution to apply for the 2019CDBG for the purpose of a multifaceted facility for seniors and adult education. Commissioner Lanier Walker seconded the motion. All voted aye. Motion approved.

11. Request for approval of Amending Resolution of the Pierce County Planning Commission. Jason Rubenbauer, County Manager stated that he has been working with the Regional Commission and the cities to clean up and comply with state law the Planning Commission Resolution. There should be an odd number of representatives, they should receive no compensation and should be an advisory board only. The cities

of Offerman and Patterson have already signed the resolution and Blackshear is anticipated to approve it next week at their meeting. The resolution would allow for one representative from each of the three cities and two from the county unincorporated area.

## **AMENDING RESOLUTION PIERCE COUNTY PLANNING COMMISSION**

The Pierce County Board of Commissioners in coordination with the City of Blackshear, the City of Offerman, and the City of Patterson amend the Resolution dated November 26, 1990 which created the Planning Commission. This amendment recognizes the establishment of the Joint Zoning, Planning, and Code Enforcement Advisory Board of Pierce County and defines its membership, duties, powers, and responsibilities in accordance with O.C.G.A. §36-66, §36-67A, and 36-70.

, Pierce County and the cities of Blackshear, Offerman, and Patterson have determined that the current Resolution needs to be revised in accordance with the aforementioned subsections of the Official Code of Georgia due to numerous revisions in the O.C.G.A. that have taken place since the writing of the original Resolution; and

**WHEREAS**, it is the desire of the Pierce County Board of Commissioners and the cities of Blackshear, Offerman, and Patterson to establish greater clarity in the duties of the Commission established under this amending resolution to include all areas of zoning, planning and code enforcement in an advisory role:

**NOW, THEREFORE BE IT RESOLVED** that the Pierce County Board of Commissioners and the cities of Blackshear, Offerman, and Patterson seek to amend the aforementioned resolution by creating the countywide Joint Zoning, Planning, and Code Enforcement Advisory Board of Pierce County which is tasked with the zoning, and serving in an advisory capacity on the topic of code enforcement as prescribed in this resolution.

Section 1

### **JOINT ZONING, PLANNING, AND CODE ENFORCEMENT ADVISORY BOARD OF PIERCE COUNTY: CREATION AND APPOINTMENT**

The Joint Zoning, Planning, and Code Enforcement Advisory Board of Pierce County is hereby established by the Pierce County Board of Commissioners, the City of Blackshear, the City of Offerman, and the City of Patterson, who are the governing bodies, and are authorized to establish this board in accordance with

O.C.G.A. §36-66-2 (Zoning). The Board shall be composed of members of the county as described below. Members shall be appointed by the Pierce County Board of Commissioners and the City Councils of the cities of Blackshear, Offerman, and Patterson; using good faith efforts to appointing one or more individuals who have experience or expertise relevant to one or more of the county or municipal codes that are within the subject matter jurisdiction and who are community minded individuals who shall jointly pursue the welfare of the county and the cities. The Board shall consist of five (5) members:

One (1) resident of the City of Blackshear as appointed by the Mayor and City Council of

One (1) resident of the City of Offerman as appointed by the Mayor and City Council of Offerman;

One (1) resident of the City of Patterson as appointed by the Mayor and City Council of Patterson;

Two (2) residents of unincorporated Pierce County as appointed by the Commissioners of Pierce County.

The initial appointment shall be as follows:

Two (2) members shall be appointed for a term of two years each; and Three (3) members shall be appointed for a term of four years each.

Upon expiration of the initial terms specified above, additional terms shall be for three (3) years each and each renewal shall be approved by the Pierce County Board of Commissioners and the respective municipalities as applicable at least sixty (60) days prior to the expiration of the member's term.

## Section 2

### COMPENSATION

Members of the Board shall serve without compensation with the following exceptions. Members shall be reimbursed for actual expenses incurred in connection with their official duties by completing the County's official Travel Expense form and by adhering to the policies for travel established by the Pierce County Board of Commissioners. All reimbursements shall be paid by the Pierce County Board of Commissioners through the General Fund.

## Section 3

### OFFICERS, RULES, RECORDS, STAFF

The Board shall elect from its appointed members a Chairperson, who shall be a voting member, and shall serve for one year or until a successor is elected. The Chairperson may be elected for a maximum of two (2) consecutive one (1) year terms.

The Board shall meet at least once each month at the call of the Chairperson, or at such other times as the Chairperson or a majority of members of the Board shall determine.

The Board shall adopt rules and regulations to conduct its meetings and transact its business. It shall keep thorough records of all activities of the Board including all investigations, citations, transactions, motions, recommendations, requests, and all other necessary information in relation to all business transactions of the Board. All records of the Board and its committees shall be constituted as public records.

The Pierce County Board of Commissioners shall hire the Director and any other staff needed for the effective operation of the Board and will be responsible for all pay, benefits, human resource activities, and job duties of the position(s). The Board may recommend the selection of such employees and staff as it feels may be necessary to carry out the business of the Board to the Pierce County Board of Commissioners. All requests must be substantiated with all budgetary requirements for such positions and will be discussed by the Pierce County Board of Commissioners during the preparation of the next budget cycle. All personnel will be employees of the Pierce County Board of Commissioners, under the direction of their designated representative, and shall comply with all rules and regulations of Pierce County.

Each municipality has the authority to create their own inspections and code enforcement department within their respective jurisdiction. If a municipality chooses to employ their own inspections and enforcement officer that municipality shall be responsible for the salary, benefits, and personnel matters of their employee(s).

## Section 4

### DUTIES, POWERS, AND RESPONSIBILITIES

It shall be the duty of the Joint Zoning, Planning and Code Enforcement Advisory Board of Pierce County, subject to the direction of the Pierce County Board of Commissioners in cooperation with the participating cities of Blackshear, Offerman, and Patterson and the laws of the State of Georgia, to evaluate and make recommendations to the local governing bodies ( County Commission or City Councils) on matters such as Annexations request, Rezoning request, Variance request, Special Use Permits, plats submitted to the director by certified engineers and

surveyors for layout of new Subdivisions and Text Amendments to Zoning/Land Use Ordinances as will best promote public health, safety, morals, convenience, prosperity, general welfare, efficiency and economy in the development of Pierce County and the cities of Blackshear, Offerman, and Patterson.

The Joint Zoning, Planning, and Code Enforcement Advisory Board of Pierce County shall have the power and specific responsibilities, subject to the direction and control of the Pierce County Board of Commissioners in coordination with the cities of Blackshear, Offerman, and Patterson, to:

1. Review, and recommend, as required by state law and the Georgia Department of Community Affairs or other regulating body on the Joint Comprehensive Plan, or parts thereof, for the development of Pierce County or any municipality lying within its boundaries.
2. Recommend to the Pierce County Board of Commissioners, or the City Council of the affected municipality, any regulations, and amendments thereto, for the subdivision of land within the political jurisdictions of Pierce County or any municipality lying within its boundaries.
3. Recommend a plat, or plats, or an official map, or amendments thereto, showing the exact location of the boundary lines of existing, proposed, extended, widened, or narrowed streets, public open spaces or public building sites. Recommend regulations, to the Pierce County Board of Commissioners, or the affected municipality, to control the erection of buildings or other structures within such lines in support of the Joint Comprehensive Plan.
4. Advise the local governing bodies on the enforcement of code violations found or reported throughout Pierce County or any municipality lying within its boundaries in conjunction with the Pierce County Development Code and the Pierce County, City of Blackshear, City of Offerman, or City of Patterson Code of Ordinances as applicable.
5. Recommend to the Pierce County Board of Commissioners, the City of Blackshear, the City of Offerman, and the City of Patterson, changes to the Pierce County Development Code due to State or Federal Regulatory changes or in instances where significant public safety issues may be present.

#### LEGAL COUNSEL

The County Attorney for the Pierce County Board of Commissioners shall be legal counsel to the Board. The Pierce County Board of Commissioners shall appoint an attorney who shall present cases before the Board as deemed necessary.

#### FINANCIAL DISCLOSURE

##### Section 6

The full revenues received and expenses generated by the Joint Zoning/ Planning, and Code Enforcement Advisory Board and the respective county department shall be disclosed on a monthly basis by the Director.

##### Section 7

#### REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS

All ordinances, resolutions, or parts of ordinances and resolutions, in conflict herewith are repealed.

##### Section 8

#### EFFECTIVE DATE OF THIS AMENDING RESOLUTION

This Amending Resolution and all parts listed herein, shall be effective upon the formal reading and acceptance in the official minutes of each governing body during a regularly scheduled public meeting. Once accepted and signed with the approval of each governing body's membership entered into the formal minutes of a regularly scheduled meeting, the formal appointments for each board member shall be effectuated on January 1, 2019



Section 9

ADOPTION

Adopted this \_\_\_\_\_ day of November 2018

By: Chairman, Pierce County Board of Commissioners Date:

Attest: County Clerk

By: Mayor Pro Tem, City of Blackshear Date:

Attest: City Clerk

By: Mayor, City of Offerman Date:

Attest: City Clerk

By: Mayor, City of Patterson Date:

Attest: City Clerk

Commissioner Randy Dixon made a motion to approve the amending resolution on the Pierce County Planning Commission as presented. Commissioner Harold Rozier seconded the motion. All voted aye. Motion approved.

**CLOSED SESSION**

Commissioner Mike Streat made a motion at 6:44 PM to go into closed session. Commissioner Randy Dixon seconded the motion. All voted aye. Motion approved.

Commissioner Randy Dixon made a motion to return to regular session at 7:11 PM. Commissioner Mike Streat seconded the motion. All voted aye. Motion approved.

1. Real Estate – no action
2. Litigation – no action
3. Personnel – Discussion on the appointment of an interim EMA Director/Fire Coordinator.

Commissioner Harold Rozier made a motion to appoint Jason Rubenbauer as the interim EMA Director/Fire Coordinator. Commissioner Randy Dixon seconded the motion. All voted aye. Motion approved.

Chairman Bennett adjourned the meeting at 7:12 PM

**ADJOURN**

*Next meeting will be December 4, 2018.*

*There is sometimes a tremendous amount of supplemental information that is provided to the BOC on agenda items. If you would like a copy of those items they can be provided to you upon request after the meeting by calling or emailing Amy Hitt, County Clerk at 912-449-2022, [amy.hitt@piercecounyga.gov](mailto:amy.hitt@piercecounyga.gov).*