

**THE REGULAR MEETING OF THE
CRAWFORD COUNTY BOARD OF COMMISSIONERS
TUESDAY, 1 SEPTEMBER 2015**

**THE MEETING OF THE CRAWFORD COUNTY BOARD OF COMMISSIONERS
WAS CALLED TO ORDER AT 6:01 P.M.**

The following members were present: Mr. Paul Chapman (Chairman), Mr. Bobby Blasingame (Vice-Chairman), Mr. Justin Spillers, Mr. Sterling Braswell, and Mr. John Thomas.

INVOCATION GIVEN BY MR. STERLING BRASWELL

AGENDA APPROVAL

Mr. Chapman asked for a motion to approve the agenda. Mr. Spillers made the motion. Mr. Blasingame seconded and the motion carried 5-0.

FIRST ON THE AGENDA

Approval of Minutes: *Regularly Scheduled Meeting of 18 August 2015*

Mr. Chapman asked for a motion to approve the minutes from the regularly scheduled meeting of 18 August 2015. Mr. Thomas made the motion to approve the minutes. Mr. Braswell seconded and the motion carried 5-0.

Mr. Chapman asked for a motion to approve the minutes from the Called Meeting of 27 August 2015 (6:00 pm). Mr. Braswell made the motion to approve the minutes. Mr. Blasingame seconded and the motion carried 5-0.

Mr. Chapman asked for a motion to approve the minutes from the Called Meeting of 27 August 2015 (6:15 pm). Mr. Thomas made the motion to approve the minutes. Mr. Blasingame seconded and the motion carried 5-0.

SECOND ON THE AGENDA

Public Hearing: *Variance Application - Mr. Van Dat Nguyen*

Mr. Van Dat Nguyen has requested the Board of Commissioners consider granting a variance application allowing the construction of four (4) poultry houses within the 300 foot required setback of his property line. If the variance is approved the poultry houses will be 200 feet away from the eastern most property line. The parcel is located at 774 Rackley Road.

Mr. Miller (Planning and Zoning Administrator) stated that the Planning and Zoning Board had recommended that the request be approved.

After some discussion Mr. Thomas made the motion to approve the request. Mr. Spillers seconded and the motion carried 5-0.

Public Hearing: *Variance Application – Mr. Larry Cooley*

Mr. Larry Cooley has requested the Board of Commissioners consider granting a variance application allowing him to rebuild four (4) poultry houses that were recently damaged due to severe weather. The houses that were damaged were not compliant with current regulations. As such they could only be rebuilt to their original (40' x 500') size. Mr. Cooley wishes to enlarge the size (45' x 500') of the four (4) proposed houses.

Mr. Miller (Planning and Zoning Administrator) stated that the Planning and Zoning Board had recommended that the request be approved.

There was much discussion as to the current ordinance and its impact on the ability of poultry farmers to enlarge their operations.

Mr. Braswell made a motion to approve the application for variance. Mr. Blasingame seconded and the motion carried 4-0. Mr. Spillers abstained as he had a conflict of interest.

Mr. Chapman requested that a committee be formed in order to evaluate the current poultry house ordinance and recommend to the BOC any changes that they deemed may be in order.

Mr. Larry Cooley, Ms. Brenda Carroll, Mr. Frank Holmes, Mr. Bobby Blasingame, and Ms. Vicky Simmons volunteered to form the committee and report to the Board their recommendations to the current ordinance.

Public Hearing: *Proposed Text Amendment – Poultry Houses*

Mr. Miller (Planning and Zoning Administrator) stated that the Planning and Zoning Board had recommended the approval to amend a portion of Section 5.2.9 - #4 Reference of the CCLDR regarding the size restrictions on poultry houses. The proposed amendment is as follows:

No Structure for an intensive animal or poultry operation and no stockpile of manure, lagoon, or other structure for the storage or disposal of agricultural waste shall be located within one thousand feet (1,000') of the nearest residence owned by one other than the applicant or within three hundred feet (300') from the nearest property line. *No structure(s) used in connection with an intensive animal or poultry operation shall be located on a tract of less than fifty (50) acres. Structure(s) used in connection with an intensive animal or poultry operation shall not exceed fifty five thousand (55,000) square feet per fifty (50) acre parcel. Each square foot in excess of 55,000 square feet will require an additional nine (9) square feet of real estate.* The operation must be conducted in accordance with all applicable county, state and federal regulations such as, but not limited to, water quality, health and environmental standards. All animals (except those generally recognized as pets) shall be kept in a structure, corral, pen, or fenced area.

Mr. Blasingame made the motion to approve the proposed amendment. Mr. Braswell seconded and the motion carried 4-0. Mr. Spillers abstained as he had a conflict of interest.

Public Hearing: *Bid Opening – Surplus Property*

Mr. Kelly reminded the Board that they had declared a parcel of property as surplus at a previous meeting. Since that time the 2.41 acre parcel located within the Quail Run Subdivision has been properly advertised for bid and three (3) bids have been received. Mr. Kelly requested the Board open and announce the amounts of the bids and the name of the person submitting the bid.

The bids were opened with the following results:

Ms. Wanda Willis bid in the amount of \$4,550.75.

Mr. Willie Joe Carson bid in the amount of \$4,600.00

Ms. Charlotte Smith bid in the amount of \$5,000.00

Mr. Chapman asked for a motion to sell the surplus property to Ms. Charlotte Smith (the apparent high bidder) for \$5000.00. Mr. Spillers made the motion, seconded by Mr. Blasingame. The motion carried 5-0.

THIRD ON THE AGENDA

Appearances: *Mr. Robert Ray – Mule Creek Road*

Mr. Ray requested the Board consider abandoning a portion of Mule Creek Road (approximately 5800') from Taylors Mill road traveling east. He went on to say that he has had a continuing problem with people dumping trash and tires. He went on to say that when it rains there are people with recreational vehicles that tear the road to pieces. He further stated that due to those activities his irrigation system and pecan trees are being damaged.

After some discussion, Mr. Thomas made a motion to proceed with the required public hearings in order to determine if the road should be abandoned. Mr. Spillers seconded and the motion carried 5-0.

FOURTH ON THE AGENDA

Announcements: *CDBG 2015 - Award*

Mr. Kelly informed the Board that Crawford County was recently notified that their 2015 Community Development Block Grant (CDBG) application for \$500,000 in funding from the Georgia Department of Community affairs (DCA) was successful. The application was for the construction of water and fire hydrant infrastructure along Jordan Road and Twin Walks. The project will officially be awarded in October.

The project is estimated to enter into the construction phase in January 2017, being completed in September of 2017.

There was a discussion about budgeted funding for the County's matching portion of the grant. Mr. Kelly stated that the connection from the new water main to the homes would not be completed until the end of the project. The County's matching portion was for that portion of the project and would probably be budget in the FY 2017 budgets.

The Board thanked Mr. Kelly for the update.

Announcements: *Office Closure – Labor Day*

Mr. Kelly informed the Board that the County offices will be closed Monday, September 7, 2015 in observance of the Labor Day Holiday. All offices will reopen on Tuesday, September 8, 2015.

FIFTH ON THE AGENDA

New Business: *Budget Amendment – Roads Department*

Mr. Kelly requested the Board amend the Budget of the Roads Department as follows:

ROADS – BUDGET AMENDMENT		
42000		
INCREASE BUDGET	54.2200 Lease Equipment	\$441,907.35
INCREASE REVENUES	39.3700 Loan Proceeds	\$441,907.35
Leased Equipment		
	John Deere Cab Tractor with Boom Mower	\$105,064.35
	Front End Loader	\$106,721.00
	Motor Grader	\$230,122.00
	Total	\$441,907.35

Mr. Kelly stated that the Board had authorized the lease agreements in prior meetings. The equipment and loan proceeds have recently been received by the County and it was now necessary to amend the Roads budget to account for those revenues and purchases.

Mr. Thomas made the motion to approve the budget amendment. Mr. Spillers seconded and the motion carried 5-0.

New Business: *Schedule Called Meeting – RFP 2016 LMIG Projects*

Mr. Kelly stated that he has advertised for "Request for Proposals" (RFP) for the four (4) asphalt paving projects associated with the 2016 Local Maintenance Improvement Grant. He went on to

say that asphalt paving season ends on December 15th. As such it would be necessary to hold a called meeting as soon as possible in order to award the projects once the bids were received. The earliest possible date to award the projects would be on 18 September 2015.

The Board had no objection and requested the Called Meeting be held on 18 September 2015 at 4:00 pm on that date.

New Business: *Resolution – To Sell Distilled Spirits by the Drink*

Mr. Mincey reminded the Board that at its last regularly scheduled meeting the BOC voted to allow the issue of “Liquor by the Drink” to be added to the ballot for consideration by the County Citizens.

Mr. Mincey requested the Board adopt the “Resolution of the Board of Commissioners to Request a Call for Election Regarding the Authority to Issue Licenses to Sell Distilled Spirits by the Drink” This resolution would notify the election superintendent of the referendum and have it printed on the ballot.

Mr. Braswell made a motion to adopt the resolution. Mr. Spillers seconded and the motion carried 5-0.

SIXTH ON THE AGENDA

Executive Session: *Pending Litigation*

Privileged consultation with legal counsel pertaining to pending or threatened litigation, claims, administrative proceedings or settlement. [O.C.G.A. Section 50-14-2]

Mr. Chapman asked for a motion to enter into executive session. Mr. Spillers made the motion to enter into executive session. Mr. Braswell seconded and the motion carried 5-0. Board enters at 7:05 p.m.

Mr. Spillers made the motion to exit executive session. Mr. Thomas seconded and the motion carried 5-0. Board exits at 7:23 p.m.

Mr. Thomas made a motion to accept the settlement offer made by Mr. Moore (Moore Borrow Pit) with the following conditions:

- That the sum of \$28,000 be paid to the Moore's.
- That the sum of \$2,413.80 be paid to the Moore's for reimbursement of their costs/expenses to date.
- That the County pursues, at the County's expense, without any involvement by the Moore's, the reclamation release for the property from the State of Georgia.
- A dismissal with prejudice will be filed

- A release of claims will be signed with the stipulation that any third party would not be prevented from suing the County. Only the Plaintiff's in this action would be barred.

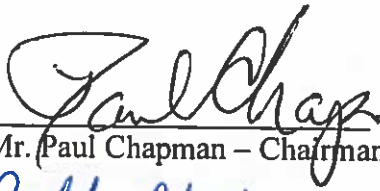
Mr. Spillers seconded and the motion carried 5-0.

Adjourn:

There being no further business, Mr. Chapman asked for a motion to adjourn the 01 September 2015 Regular Meeting of the Board of Commissioners. Mr. Spillers made the motion. The motion was seconded by Mr. Braswell. Motion carried 5-0 and the Board adjourned at 7:24 p.m.

APPROVAL OF MINUTES

**THE REGULARLY SCHEDULED MEETING OF THE
CRAWFORD COUNTY BOARD OF COMMISSIONERS
TUESDAY, 01 SEPTEMBER 2015**



Mr. Paul Chapman – Chairman

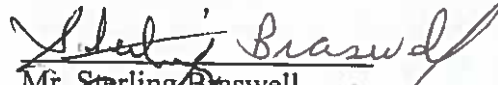


Mr. Blasingame – V. Chairman



Mr. Justin Spillers

Mr. John Thomas



Mr. Sterling Braswell



Attest – County Manager