



COMMISSIONER'S MEETING

March 24, 2006

9:00 A.M. – ANNEX COURTROOM

MINUTES

- I. Call to order**
 - 1. Called meeting to order**
 - 2. Prayer**
 - 3. Pledge of Allegiance**
- II. Minutes**

Read and Approved minutes from previous meeting
- III. Reports from Committees and Departments**
 - 1. Greg Walker – Director of Parks & Recreation - Absent**
- IV. Consent Agenda**
 - 1. Adopted Resolution For Declaration of Official Intent to Reimburse or Refinance Costs for Pickens County Administrative Office Center with Tax Exempt Financing up to \$2,500,000.**
 - 2. Signed Relocation Agreement for SR 53 at Sammy McGhee Blvd. With Georgia Power Company. Estimate of \$12,527.00 for Georgia Power to make certain adjustments to Georgia Power Company's existing facility.**
 - 3. Closed the following bank accounts: Court Technology Fund, EMS and Water Debt Service Account. These were old accounts.**
- V. Old Business**

None
- VI. New Business**
 - 1. Adopted Resolution Adopting and Amending Chapter 4 of the Code of Ordinances of Pickens County, Georgia.**
 - 2. Approved transfer of Pine Street Well property to Dan Sewell. Bid amount \$100,000.**
 - 3. Signed Quit Claim Deed to the Pickens County Sportsman's Club, Inc. property lying and being in Land Lot 209, 12th District, 2nd**

Section, Pickens County, Georgia containing 74.76 acres, as shown on plat of survey entitled "Survey for Pickens County Sportsman Club" dated November 28, 2005, made by Walter H. Cagle, G.R.L.S. # 2677 and recorded in Plat Book SS, Page 9, Pickens County, Georgia Records. (The Agenda was amended to include this item.) This property has been leased by the Sportsmen's Club for years. Once the Sportsman Club has built a facility up to NRA standards the County will release the property from the covenant regarding the fully automatic weapons. Per Phil Landrum, County Attorney, he said he would like for the minutes to reflect that the County signed a Quit Claim Deed because they do not have a clear title to the property. There is no vesting deed in to Pickens County and he does not want there to be a misinterpretation from the Sportsman's Club or any of their members that we are telling them that we own the property.

VII. Guests/Comments

Dr. Joann Foster asked for a copy of the Sign Ordinance, which was adopted earlier in this meeting. She also had a Land Use question regarding the clearing of land for development. She is concerned that so many trees are being cleared and wanted to know if there are any restrictions on clearing. She expressed concern about the commercial building across from Home Depot. Norman Pope, Director of Planning and Development, replied that we now have restrictions on property above 2200 ft. that you cannot clear cut in those higher elevation areas. Homeowners are very limited on what they can cut. Norman said that property owners could clear their property but they have to meet soil erosion and sediment control regulations – state & local and those are enforced rather stringent here in Pickens County. Dr. Foster was told that we do not have any tree ordinances. She also asked about the sign ordinance. Norman Pope said that attorneys felt there were things that needed to be addressed to be sure we were not denying anyone of their constitutional rights, especially concerning freedom of speech. The Resolution adopting the ordinance says everyone has the right to have a sign on his or her property but we have the right to limit the height and size. Billboard signs can be no higher than 30' and 100 sq. ft. per side. That is the maximum size. Dr. Foster asked how the other counties got away with disallowing signs. In Atlanta, for example, the law says you can't put one up unless it is over the building you are advertising. Attorney Phil Landrum said he believed they are involved in a lawsuit on that. Attorney Phil Landrum answered that our sign ordinance was not held invalid but from an academic standpoint and from what our federal circuit has put in to sign ordinances from the jurisdictions under their control. We have a split on the court of appeals right now as to what is valid and what is not valid. He said what he and others had tried to do was to draft a sign ordinance as restrictive as they can but still pass constitutional muster. There is another decision that is still pending and should come down in the next few months and that may require us to go back and amend this again. A lot of the issues with regard to signs are

not really within the control of the County nor the municipality because of the freedom of speech issue, which is dictated by the federal constitution. Mr. Landrum said we are trying to stay out of federal court as much as we can so that we don't waste a lot of time. He said the other thing to keep in mind is the boundaries between the cities and the county. The commercial property that Dr. Foster spoke about is inside the city. Mr. Landrum said that we don't have any authority over that. Jack Foster said that he wanted to address an issue that the Commissioner had talked about before in various meetings – given the lengthy process of expanding the County Commission base, from one to a three or five man commission, would it be permissible or possible to put before the voters a referendum in November on this particular subject. Commissioner Jones said that the plans are that we have to have a vote in 2008 for the SPLOST and that referendum will go on the ballot with the SPLOST. It has to go through the legislature to get it on the ballot. He said that was the plan at this time. Mr. Mike Bray spoke about the tree issue. He said he has some personal involvement when you try to save a specimen (large) tree. He took Jim Gibbs, of Gibbs Landscaping, to look at a tree – Mr. Gibbs told him that trees are like people – they have a life and then they die. He said he was going to great expense to save a tree, which only had a few years left. Mr. Bray said it puts a real burden for the person who owns the property. He says that trying to save some trees sometimes defies both Mother Nature and the original use of the property. He had tried to save a tree that he thought was beautiful and a person who knew told him that what he was going to happen was he would try and save it by working around it and then it would die and he would have to work around it with buildings. He said it is a balancing act. The Commissioner said that a tree on Harmony School Road is one he is trying to save.

VIII. Adjournment

Commissioner Jones adjourned the meeting at 9:27 A.M.