

**HEARD COUNTY BOARD OF COMMISSIONERS MEETING
OCTOBER 26, 2010 – 6:30 P.M.**

The Heard County Board of Commissioners held a Commissioners Meeting on October 26, 2010 at 6:30 p.m. in the courtroom of the Heard County Courthouse. In attendance at the meeting were Commission Chair June Jackson, District 2 Commissioner Lee Boone, District 3 Commissioner Gwen Caldwell, District 4 Commissioner Frank Crook, District 5 Commissioner Sandi Allen, and County Attorney Jerry Ann Conner. District 1 Commissioner Karen Isenhower was absent. Commission Chair Jackson called the meeting to order and welcomed everyone present. Commissioner Allen gave the invocation.

Agenda Item # 3 – Guest Speaker – a. Mrs. Cindy Haygood with Rolling Hills Resource Conservation and Development Council, Inc., (R C & D) – Mrs. Cindy Haygood with Rolling Hills Resource Conservation and Development Council, Inc. updated the Board on several different projects that are currently being handled by Rolling Hills that involve Heard County.

Agenda Item # 4 – Public Hearing – a. To Review and Adopt Revisions to Article 10 of Heard County’s Zoning Ordinance – Commission Chair Jackson opened the public hearing. County Attorney, Jerry Ann Conner presented the new ordinance to amend the Heard County Zoning Ordinance Article 10 regulating manufactured homes and manufactured home parks. Commissioner Crook asked for a decision on this to be postponed to allow the Board time to review the revisions. Ms. Conner stated, yes, the Board can close the public hearing and postpone the decision until a later date. There being no public comments and no further comments from the Board, on motion (Allen) and second (Boone), the Board unanimously voted to close the public hearing.

Agenda Item # 5 – Approval of Minutes – On motion (Crook) and second (Caldwell), the Board unanimously voted to approve the minutes from October 12, 2010 as presented.

Agenda Item # 6 – Public Comments – Commission Chair Jackson opened public comments and reviewed the public meeting rules and regulations, item # 5, regarding public comments. There were no public comments.

Agenda Item # 7 – Amend Agenda – None.

Agenda Item # 8 – Old Business – a. Decision on Public Hearing – Review and Adopt Revisions to Article 10 of Heard County’s Zoning Ordinance – Postponed.

b. Discuss CDBG Grant Project – Mr. Darold Wiggins – Public Works Director, Mr. Darold Wiggins addressed the Board regarding several issues on the CDBG grant project for the following roads; Minardi Drive, Pamela Court, Pinsky Drive, and Puckett Drive. Mr. Wiggins introduced Mr. Danny Johnson, Engineer in charge of this project, with Hayes, James & Associates and Mr. Scott Stokes, President of Southeastern Site Development, Inc. who was the contractor on this project. Mr. Wiggins stated that he was very concerned that his integrity as Public Works Director was being challenged on this project and planned to address each issue that Commissioner Isenhower brought up in the October 12, 2010 meeting that he did not attend. He first addressed the issue of why the grading work was subbed out to the contractor and not done by the County. Mr. Wiggins explained that on February 4, 2010 he attended a Board work session with all the Commissioners present, and at that time it was discussed with the Board to bid out the grading on this project. Mr. Wiggins explained to the Board that the road department crew was very willing and able to do the grading on this project if the Board so desired,

but that other projects would be held up. The Board advised Mr. Wiggins at that time to go ahead and bid out the project with the grading included. On February 10, 2010, Mr. Wiggins met with Mr. Danny Johnson of Hayes, James & Associates to discuss bidding out the project with the grading included. On April 13, 2010, Mr. Wiggins and Mr. Johnson presented the two bids received on this project and recommended accepting Southeastern Site Development as the contractor on this project. At that time, on motion by Commissioner Isenhower and second by Commissioner Allen the Board unanimously voted to give the contract to Southeastern Site Development, including the grading. Next, Mr. Wiggins addressed the question of why asphalt was not on these roads but triple surface treatment was. In March, 2008, before Mr. Wiggins was employed with Heard County, the previous Board was presented with details of the project which stated triple surface treatment. The original plans never mentioned asphalt. Next, Mr. Wiggins addressed the issue of the road coming apart and holes in the road. Mr. Wiggins explained that this is entirely not a true statement. He stated that there are no holes in the road nor is the road coming apart. He presented information that states the base of this road is clearly well within Department of Transportation specs. He also presented calculations done on the water run-off on the backside of Minardi Drive and what measures he and the contractor took to prevent extreme run-off onto land owners land and to prevent standing water in the roadway. Mr. Wiggins stated that this road was done correctly and built according to specs. He also stated that this project was subject to be closed out next week and he could see no reason to hold up the close-out. Commissioner Caldwell and Commissioner Crook both said that if Mr. Wiggins was stating the road was constructed correctly and according to specs, they could see no

reason to argue or hold up the close out public hearing. Commissioner Boone stated that he wanted Mr. Wiggins to be assured that the entire Board did not challenge him or the work done on this project, only one commissioner was challenging this project.

Commissioner Allen stated that there were many residents on these roads that were thankful for the great job done. After further discussion, Commission Chair Jackson stated that these roads were now county roads and would be maintained by Heard County for any future problems that may arise.

Agenda Item # 9 – New Business – None.

Agenda Item # 10 – Executive Session - Commission Chair Jackson asked for an Executive Session to discuss pending litigation. On motion (Allen) and second (Caldwell), the Board unanimously voted to enter into Executive Session. On motion (Crook) and second (Allen), the Board unanimously voted to return to Open Session. Commission Chair Jackson stated that the Board discussed pending litigation in Executive Session with no decisions made.

There being no further business, on motion (Caldwell) and second (Crook), the Board unanimously voted to adjourn.