

**HEARD COUNTY COMMISSIONERS MEETING  
JUNE 9, 2009 – 6:30 P.M.**

The Heard County Board of Commissioners held a Commissioners Meeting on June 9, 2009 at 6:30 p.m. in the courtroom of the Heard county Courthouse. In attendance at the meeting were Commissioner Chair June Jackson, District 1 Commissioner Karen Isenhower, 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. Commission Chair Jackson called the meeting to order and welcomed everyone present. Pastor Noel Forrester gave the invocation.

**Agenda Item #3 – Public Hearing on 2009-2010 Budget** – Commission Chair Jackson opened the public hearing and after no public comments being made, on motion (Boone/Allen), the Board unanimously voted to close the hearing.

**Agenda Item #4 – Approval of Minutes** – On motion (Allen) and second (Crook), the Board unanimously approved the minutes from May 26, 2009.

**Agenda Item #5 – Public Comments** – Mrs. Martha Bennett of 1103 Minardi Drive voiced her concerns about the delay in meeting with the homeowners concerning the paving project for her road. County Attorney Conner explained that a meeting was scheduled for Thursday, June 11, 2009 with Debra Smith, the grant writer from Allen Smith Consulting, and Scott Adams, the project engineer from Hayes James & Associates, to discuss the timetable and related issues. Commission Chair Jackson stated that a meeting with the homeowners was tentatively scheduled for July 16, 2009.

**Agenda Item #6– Amend Agenda-** Commissioner Isenhower asked for an amendment to New Business to include “c” – Discuss Minardi Drive. On motion (Isenhower) and second (Boone), the Board unanimously approved this request.

**Agenda Item #7 – Old Business – a. Update Heard County Sports Complex –Mr. Kevin Hamby, Clough Harbour & Associates** – Mr. Kevin Hamby with Clough Harbour & Associates stated that he and Parks and Recreation Director David Julien had visited the site to review the punch lists and progress. Mr. Hamby further stated that the Sports Turf punch list was approximately 50% complete and the company had accrued \$2,000 in liquidating damages to date. After some discussion, Mr. Hamby said that he would be returning to the project on Tuesday, June 16, 2009 and would be contacting Sports Turf for a meeting.

**b. Approve Pay Request for Heard County Sports Complex** – Commission Chair Jackson presented a pay request from Headley Construction for \$69,800.00. Mr. Kevin Hamby stated the buildings are complete. Parks and Recreation Director David Julien stated that he had inspected the building and noticed 3 minor items to be corrected. The Board then discussed the advantages and disadvantages of immediate use of the new gym and warranty issues while Sports Turf was continuing to complete their part of the project. Mr. Hamby pointed out that the Board had 30 days from the date of approval by the architect in which to make the payment. After some discussion, the Board postponed their decision until its next meeting on June 23, 2009.

**c. Approve Pay Request for Thompson Road Paving Project** – Commission Chair Jackson presented a pay request from C.W. Matthews Contracting Co., Inc. in the amount of \$166,269.24 net of a retainage of \$75,983.13. Mr. Kevin Hamby stated he had visited

the site and the work was complete. Commission Chair Jackson stated that the County had installed French drains to correct the water problem. After some discussion, on motion (Crook) and second (Allen) the pay request was approved with one opposed (Isenhower).

**Agenda Item #8 – New Business – a. Appointment to Heard County Development**

**Authority** –Commission Chair Jackson presented the Development Authority’s recommendation that Judy Miller be appointed to fill the position vacated by Donald Rogers. After some discussion, on motion (Allen) and second (Crook) with one opposed (Isenhower), Mrs. Miller was appointed.

**b. Discuss Abandonment of a Portion of Old Providence Road** – Commission Chair Jackson identified the area to be abandoned and after some discussion the Board agreed to move forward with abandonment proceedings.

**c. Discuss Minardi Drive** – Mrs. Bennett reiterated her initial concerns of the condition of Minardi Drive and expressed frustration over the delays. She requested the County scrape and gravel the road. Commissioner Crook pointed out that the County is strictly prohibited by the State of Georgia from working on private roads and until the County has obtained all right of ways in that area, County equipment and personnel could not be utilized. Commissioner Boone questioned Mrs. Bennett about how many of the residents were in agreement to donate the right of way and if she knew of any that was not willing to donate. Commissioner Boone and Commissioner Caldwell both stated that if there is anyone not in agreement to donate their right of way, the project will be put on hold. After some discussion, the Board thanked Mrs. Bennett for coming to the meeting.

**Agenda Item #9 – Executive Session** – Commission Chair Jackson asked for an Executive Session to discuss possible litigation. On motion (Caldwell) and second (Allen), the Board unanimously voted to enter into Executive Session. On motion (Caldwell) and second (Allen), the Board unanimously voted to return to Open Session. Commission Chair Jackson stated that the Board discussed litigation in Executive Session.

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