

**MINUTES**  
REGULAR MEETING OF THE  
COLQUITT COUNTY BOARD OF COMMISSIONERS  
**Tuesday, February 3, 2015**  
7:00 o'clock p.m.

**CALL TO ORDER:** The meeting was called to order at 7:00 o'clock p.m. by Chairman Terry R. Clark.

**INVOCATION AND PLEDGE OF ALLEGIANCE:** The invocation was given and the pledge of allegiance led by Commissioner Marc DeMott.

**PRESENT:** Those present were Commissioners Winfred Giddens, Marc DeMott, Donna Herndon, Paul Nagy, Johnny Hardin, and Chairman Terry R. Clark. Also present were County Administrator Chas Cannon, County Attorney Lester Castellow and County Clerk Melissa Lawson.

**ABSENT:** Commissioner Luke P. Strong, Jr.

**APPROVAL OF MINUTES OF MEETINGS HELD ON JANUARY 6, 15, & 20:** Commissioner Hardin made a motion to approve the minutes as presented for meetings held on January 6, 15, & 20, 2015. Commissioner Giddens made a second. The motion carried unanimously.

**CITIZENS HAVING BUSINESS WITH THE COUNTY:** Mr. Cannon explained that David Cass has previously requested to address the board, but had since pulled his name from the agenda.

**APPROVAL OF LIST OF UNPAID INVOICES:** Commissioner Herndon made a motion to approve payment of the list of unpaid invoices. Commissioner Nagy made a second. The motion carried unanimously.

**APPROVAL OF TAX RELIEFS AND ADDITIONS:** Commissioner Hardin made a motion to approve the list of tax reliefs and additions. Commissioner Herndon made a second. The motion carried unanimously.

*County Administrator Chas Cannon presented the following agenda items:*

**RENEWAL OF PUBLIC DEFENDER SERVICES CONTRACT:** Commissioner Hardin made the motion to renew the Public Defender Services contract for the term January 1, 2015 – December 31, 2015. Commissioner DeMott made a second. The motion carried unanimously.

**APPROVAL OF 2015 CONTRIBUTION TO DEFINED BENEFIT PLAN:** Commissioner Hardin made the motion to approve payment in the amount of \$837,975.00 for the 2015 contribution to the Association of County Commissioners Defined Benefit Plan. Commissioner Nagy made a second. The motion carried unanimously.

**APPROVAL OF BID FOR BACKHOE LOADER – ROADS & BRIDGES**

**DEPARTMENT:** Commissioner Nagy made the motion to approve the low and recommended bid from Flint Equipment Company at \$79,000.00 (total cost bid - \$31,500.00) for the provision of a backhoe loader to be utilized by the Roads and Bridges department. Commissioner Giddens made a second. The motion carried unanimously.

**APPROVAL OF BID FOR PURSUIT VEHICLE – SHERIFF’S DEPARTMENT:**

Commissioner Giddens made the motion to approve the low bid from Hutson Motor Company in the amount of \$23,578.00 for the provision of a 2015 Dodge Charger to be utilized by the Sheriff’s Department. Commissioner DeMott made a second. The motion carried unanimously.

**OTHER COUNTY BUSINESS FROM COUNTY ADMINISTRATOR:** At this point in the meeting, Mr. Cannon addressed key issues received after the agenda deadline.

**APPOINTMENT OF NEW VICE - CHAIRMAN:**

Commissioner Nagy made the motion to appoint Commissioner Donna Herndon as Vice – Chairman for calendar year 2015, due to health issues concerning existing Vice – Chairman Luke Strong. Commissioner DeMott made a second. The motion carried unanimously.

**APPROVAL OF BID FOR FOUR DOOR CREW CAB TRUCK – ROADS &**

**BRIDGES DEPARTMENT:** Commissioner Hardin made the motion to approve the recommended bid from Edwards Motors in the amount of \$24,100.00 for the provision of a four door crew cab truck to be utilized by the Roads & Bridges department. Commissioner Herndon made a second. The motion carried unanimously.

**DECLARATION OF SURPLUS EQUIPMENT – ROADS & BRIDGES**

**DEPARTMENT:** Commissioner Herndon made the motion to declare Unit 6056, a 430D Caterpillar Backhoe belonging to the Roads & Bridges department, as surplus to the county’s needs. Commissioner DeMott made a second. The motion carried unanimously.

**DECLARATION OF SURPLUS VEHICLES – SHERIFF’S DEPARTMENT:**

Commissioner Hardin made the motion to declare seven high-mileage pursuit vehicles belonging to the Sheriff’s Department fleet as surplus to the county’s needs. Commissioner Giddens made a second. The motion carried unanimously.

*Public Hearing*

The following public hearing was duly called and advertised for the purpose of two amendments to the zoning ordinance. Lester Castellow, County Attorney, called the public hearing to order.

***Amendment to Article XIX, Section 19.02*** – Russell Moody, Compliance Officer, explained that this particular amendment would provide for the requirement of a “stack house” for each parcel that has a structure or facility capable of confining more than 1,000 poultry. Mr. Moody noted the amendment was recommended for approval by the Moultrie – Colquitt County Planning Commission.

*Amendment to Article II, Section 2.01* – Mr. Moody explained this particular amendment to the zoning ordinance would provide for the definition of “stack house” to be stated as “a structure or facility capable of dry composting poultry manure generated on the premises.” Mr. Moody explained this amendment was also recommended for approval by the Moultrie – Colquitt County Planning Commission.

At this time, Mr. Castellow asked for comments in support or in opposition of the proposed amendments to the zoning ordinance.

Stan Savage, retired Poultry Scientist with the University of Georgia Cooperative Extension Service, stated that the intended use of chicken litter was his primary question to any potential poultry farmer. Mr. Savage further stated that he was a supporter of the various uses of chicken litter, but stressed that USDA regulations required chicken litter to be kept covered and dry. Mr. Savage declared that while chicken litter is most definitely an asset, it was just as important to store it properly.

Commissioner DeMott stated that in the amendment to Section 19.02, structures housing more than 1,000 poultry were emphasized. Commissioner DeMott inquired as to the average number of birds normally housed in a poultry facility. Mr. Savage replied that 20,000 birds was an average number.

At this time, Harry Davison, owner of property on J.R. Suber Road, asked Mr. Savage to elaborate on the potential impact of runoff resulting from chicken litter not stored in stack houses. Mr. Savage replied that this action was against the law.

Neil A. Fleckenstein, Planning Coordinator with Tall Timbers Research Station and Land Conservancy, praised the board for their efforts to amend the zoning ordinance.

Ronald McMullen encouraged the board to put more “teeth” into the zoning ordinance. Mr. McMullen voiced concerns regarding runoff from chicken litter contaminating streams and aquifers, and stated that he was aware of certain poultry operations in the county where litter was not covered. Mr. McMullen voiced his fear that Colquitt County would become known as the “Stink Capital of the World.” In closing, Mr. McMullen thanked the commission for their time and consideration.

There being no further comments in favor or opposed, the public hearing was closed.

**APPROVAL OF PUBLIC HEARING REQUESTS:** Commissioner Hardin made the motion to approve amendments to Article XIX, Section 19.02 and Article II, Section 2.01 of the zoning ordinance, as presented in the public hearing. Commissioner Giddens made a second. The motion carried unanimously.

**PUBLIC COMMENTS:** Jennifer Alexander addressed the board, stating that she owned approximately twelve acres on J.R. Suber Road. Ms. Alexander voiced her appreciation to the board for their consideration of the residents that would be affected by the poultry operation. Mr. Alexander voiced her concern for the safety of drivers on J.R. Suber Road, and stated that she feared close proximity to a poultry operation would lower her property

value. In closing, Ms. Alexander invited the board the travel J.R. Suber Road in order to familiarize themselves with the condition and structure of the road. Clarence Lowe stated that he had farmed land in the J.R. Suber Road area for over 54 years and often used chicken litter during his many years of farming. Mr. Lowe stated that the area along the Warrior Creek water basin was a pristine habitat for wildlife and stated that the effects of runoff were a major concern. Mr. Lowe asked the board if a certain number of chicken houses could be built before the construction of a stack house would be required. Mr. Castellow explained that the stack house would be designed per individual operation.

At this time, Commissioner Hardin suggested having the Army Corp of Engineers inspect the property along J.R. Suber Road.

**MOTION TO CONTACT ARMY CORP OF ENGINEERS:** Commissioner Hardin made the motion to contact the Army Corp of Engineers in order to request inspection of property located along J.R. Suber Road. Commissioner Giddens made a second. The motion carried unanimously.

There being no further business to come before the Board, the meeting was adjourned at 7:40 p.m.

Respectfully submitted,

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Terry R. Clark  
Chairman

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Melissa Lawson  
County Clerk

Approved: \_\_\_\_\_