

MINUTES
MERIWETHER COUNTY BOARD OF COMMISSIONERS
June 23, 2020

Commissioners Present: Chairman Bryan Threadgill, Vice Chairman Alfred "Buster" McCoy, Commissioner Shirley Hines, Commissioner Mary Bray, and Commissioner Beth Neely-Hadley
Staff Present: County Administrator Theron Gay, County Clerk Beverly Thomas, Finance Director Bill Gregory, and County Attorney Michael Hill

- I. CALL TO ORDER** – Chairman Threadgill at 6:00 p.m.
INVOCATION – Chairman Threadgill
PLEDGE OF ALLEGIANCE

II. ADOPT AGENDA

Motion was made by Beth Neely-Hadley and seconded by Mary Bray to remove under New Business items #7, 10, 11, 12, 13, 15, 16 and 17. All were in favor.

Motion was made by Mary Bray and seconded by Beth Neely-Hadley to adopt the Agenda with the changes that were made. All were in favor.

III. MINUTES

Motion was made by Vice Chairman McCoy and seconded by Mary Bray to approve the Minutes from the June 10, 2020 Regular Meeting at 9:00 am. All were in favor.

IV. MUNICIPAL COMMENTS

None

V. CONSTITUTIONAL OFFICER'S COMMENTS

None

VI. DEPARTMENT HEAD COMMENTS

None

VII. PUBLIC HEARING

1. Motion was made by Vice Chairman McCoy and seconded by Beth Neely-Hadley to go into a Public Hearing to hear Case #4-2020 – Jordan Pleasant and Lanier Purcell, agents for Rodney and Kimberly Purcell, Map & Parcel #168 041 002, LD 9, LL 111, located on Mt. Carmel Road, request to rezone a total of 6-acres, 2 new lots of 3-acres each, out of 31.43 acres from A-1 to RD. All were in favor.

Cathy Johnson, Building, Zoning and Community Development Director, stated the property is located on Mt. Carmel Rd near Gay, GA. This split, if approved, shall maintain 25 + acres on the parent parcel. Each proposed 3-acre lot shall have a minimum of 200' of road frontage on Mt. Carmel Rd. which meets the zoning requirement on road frontage for RD zoning. Parent parcel will have in excess of 350' of road frontage to maintain the required road frontage for A-1 zoning.

Surrounding properties are a mix of large and small tracts. Some tracts are less than 1 acre and larger tracts are in excess of 100 acres. Property values of neighboring parcels will not be adversely affected. Property value on new parcels will increase the value with improvements on property. No improvements exist on current parcel. No excessive or burdensome use of existing street, transportation, utilities, or schools.

Staff recommendation is to approve the rezoning from A-1 to RD on 6 acres for the creation of 2 – 3 acres parcels. The Planning Commission recommended the approval of rezoning from A-1 to RD on 6 acres.

There were no comments from the Public.

Ms. Johnson stated there had been a neighbor with concerns of the number of news driveways. Mr. Purcell addressed that and both new parcels will be accessed by the current driveway that goes to the lake.

There was no one in opposition of the request.

Motion was made by Vice Chairman Alfred McCoy and seconded by Shirley Hines to go out of the Public Hearing. All were in favor.

Motion was made by Shirley Hines and seconded by Beth Neely-Hadley to accept the rezone based on the recommendations of Planning and Zoning. All were in favor.

2. Motion was made by Shirley Hines and seconded by Vice Chairman McCoy to allow 15 minutes per side and a 5-minute rebuttal for each side. All were in favor.

Motion was made by Shirley Hines and seconded by Mary Bray to go into a Public Hearing for Case #6-2020 - JB Communities, LLC, part of Map & Parcel #025, 025, LD 11, LL 53 & 76, located on Culpepper Circle, requesting rezoning of 16.65 acres from LDR to RD and Preliminary Plat approval of 7 lots for new homes off Culpepper Circle, known as Phase II of Culpepper Estates. All were in favor.

Cathy Johnson, Building, Zoning and Community Development Director, stated this request was originally set for March 26, 2020 and it had to forego the Planning Commission and go straight to the Board of Commissioners. The property frontage on Culpepper Circle is in excess of 1600 feet. Culpepper Circle is an improved, county dirt road. The Preliminary Plat creating new building lots conforms to road frontage requirement of 200 feet minimum. Lots range in size from 2.189 acres up to 2.565 acres. Ms. Johnson read from the Standards for Exercise of Zoning Power:

The current zoning of property and parcels to the West and North are LDR and a 65-lot subdivision is adjacent to this property. This is a prime location for development with the proximity to I85 and the Industrial Park. The property value of the acreage will increase with individual lots and homes. The gain to the public is an increase to the tax digest and affordable new homes. Current zoning does not have an economic impact. Over the last 30 years nothing has been developed on this property. Neighboring parcel was subdivided in 2005 and growth halted in 2008. Developer has once again begun building out remaining lots due to growth in Meriwether County. Other adjacent properties include Single Family residences, farmland, and a commercial cabinet shop.

On 11/26/19, Meriwether County Board of Commissioners approved with conditions, the Preliminary Plat and rezoning of Phase I, Culpepper Estates, 15.299 acres to RD. Conditions included: Subdivision sign with landscaping, 3 lots on East side of Roswell Lee shall be 1.9 acres, 4 of newly created lots shall be building sites for 1450 heated SF minimum homes, 3 of newly created lots shall be building sites for 1800 heated SF minimum homes.

The Staff recommendation is to approve Preliminary Plat and rezoning to RD only with full compliance of the following conditions:

- Developer shall pave, at his expense, Culpepper Circle from Hwy 54 to Culpepper Rd using specifications of 6" GAB, 2" binder and 2" topping with a 3-year bond for 1.5 times the cost of job.

- Developer shall also provide a turnaround at intersection with Culpepper Rd using county specifications.

Staff offers alternative options to Developer:

- Divide 16.65 acres into three (3) lots of 5+ acres, per LDR requirements, no rezoning or preliminary plat approval required; or
- Create two (2) 5 acre lots (LDR) and two (2) 2+ acre lots (RD) with approval on rezoning of 2+ acre lots from LDR to RD.

*No recommendation from Planning Commission as the March 23, 2020 Planning Commission was cancelled due to COVID-19.

Administrator Gay stated this request is increased from 3 lots under the current zoning to 7 lots. Administrator Gay discussed subdivision development on dirt versus paved roads and provided the estimated trips per day on the road considering 3 lots versus 7 lots. He discussed the safety concerns of subdivision development on dirt roads including when there are heavy rains. Road conditions can have a major impact on EMS and Fire. Many times, when there is a new development on a dirt road the County hears immediately from new residents wanting the road paved at the taxpayer's expense. These are some of the reasons the staff does not recommend subdivision development under 5 acres off the dirt road.

FAVOR:

Laura Benz, Legal Counsel for JB Communities, addressed concerns of why to approve the rezone. They have satisfied what is in the County Ordinance and are asking rezoning from LDR to RD by developing and allowing more affordable homes. Ms. Benz stated her client wants to provide a rural setting for the landowner and would not pave the road. There is no impact on the agriculture, and property will have a better tax value. The request is in compliance with the Comprehensive Plan and Ms. Benz feels it will satisfy the rules. The builder has developed 40 homes in Meriwether County with no complaints and no legal complaints. The properties will not clear cut and there is no sedimentation. The proposal is for 7 lots vs. 3 lots. The only land that is being disturbed is for the house and driveway. The minimum square footage would be 1450. Meriwether County needs new affordable homes. Ms. Benz quoted some sales information that was found on Zillow. Ms. Benz stated there are existing properties that are less than 5 acres. Remaining time was reserved for questions and there were no others to speak in favor.

OPPOSED:

Jack Lasseter - stated the Board voted no at the Meeting on November 26, 2019. Administrator Gay stated they must build on 5-acre lots. Mr. Lasseter felt JB Communities is looking for a cheaper way to build the homes. Mr. Lasseter stated there were six landowners on Culpepper Circle and he was concerned this would set a precedent. The acreage of the homes range in size from 13 to 60 acres with a square footage from 2500 sq. ft. to 3800 sq. ft. Mr. Lasseter stated the property should remain LDR and if the Board allows homes to be build they should match what exist in the area now. Mr. Lasseter stated there should have been a Master Plan and asked the Board to vote no.

Terri Lasseter – stated on behalf of concern citizens she had compared Culpepper Estates Subdivision information from an Open Records request on January 20, 2020 to find inconsistencies with the requirements of square footage. Ms. Lasseter stated building permits

were issued that did not meet the condition of the zoning requirements and the builder knew of those requirements but continued. In the April 30, 2020 Open Records Request, it was found a stop work order had been issued for Phase I. If it had not been caught by a Citizen and the County, he would have continued to build without following County regulations. A Master Plan should have been required. Ms. Lasseter asked what the ramifications were for any builder who continues to ignore the County's regulations. Ms. Lasseter asked the Board to let the lot size remain at 5 acres each and the minimum heated square footage at 2500. Their Attorney did not add in the extra land that landowners had purchased. Ms. Lasseter asked the Board to vote no. John Reynolds – stated he keeps hearing about dirt roads and subdivisions in Meriwether County and referred to the E-Laws Article 11. This is Phase II but is considered as a part of a subdivision. This area should have to be paved. Mr. Reynolds asked about a buffer. Mr. Reynolds asked the Board to support the citizens in the County. There had been over 200 people who had signed up in support of what they were doing last year when Phase I came before the Commissioners. Mr. Reynolds also questioned the types of culverts being used. Nikko Bonthuys – stated they represent a lot of other citizens that are not present this evening. Mr. Bonthuys explained the way they view this under the Code of Ordinances and looked at the RD classification and site of the homes. Mr. Bonthuys feels the proposed rezone is not beneficial for existing citizens there. The parcels for the new Phase are smaller and most owners have 26-40 acre lots. The Builder wants to decrease the square footage. It was also mentioned there would be no impact. Mr. Bonthuys does not see how the County would be able to allow 7 driveway entrances on a dirt road and asked the Board to vote no. Cat Jenkins – lives in the area and drives by the development. It was mentioned in a previous meeting the condition of the dirt road leading up to a hardtop road. The dirt road is good now but will need more work in the future. The rural effect will be lost if the lots are allowed to be close together. Ms. Jenkins asked the Board to leave the lots as they are in the Comprehensive Plan. The builder has not respected our zoning or laws.

5-MINUTE REBUTTAL – IN FAVOR

JB Communities, Jason Byrd – stated he did a building permit and they did not check the bonus area on the permit paperwork. Mr. Byrd stated he had the Administrator come out and measure and they increased the square footage. He met with the road department regarding the pipes and they are up to County Code. There is a separate box at the bottom of the application and the bonus room was not added to the square footage for the permit fee.

Laura Benz – rebutted the statement of not being honest. What was on the ground was a paperwork issue not a bait and switch. Mr. Byrd met with the County about the culverts. There was a lot of discussion about what went on in November 2019. Ms. Benz has read all the records of Phase I and Phase II and both are different. There was no discussion of 5 acres now until perpetuity. The request does satisfy what is on the Comprehensive Plan. Affordable small housing is listed in the Comprehensive Plan. There is nothing there that requires a minimum of 2500 square feet and Ms. Benz feels the proposal satisfies the rules of Meriwether County. Affordable small homes on smaller acres are consistent with the Comprehensive Plan. Ms. Benz requested the Board approve the request, however if the Board chooses the Builder would want the zoning options of 2 5-acre lots and 2 2-acre lots.

5-MINTUE REBUTTAL – OPPOSED

Terri Lasseter – pointed out a letter from Theron Gay to Cathy Johnson where 6 of the 7 homes in Phase I did not meet the square footage requirements. Ms. Lasseter stated Administrator Gay had a drawing of the correct square footage.

John Reynolds – reiterated there would be seven new homes on a dirt road. It is not an improved County Road. Mr. Reynolds stated he would not live in one of the homes after seeing them being built and that was his personal preference.

Cat Jenkins – the builder had measured several times and had the wrong square footage which Ms. Jenkins felt was a willful disregard and did not see how he could be given leeway. Ms. Jenkins wants the County to grow but not at the expense of future growth. There is growth despite COVID-19 and Ms. Jenkins does not want the expectation too low or have houses that will run down over the years.

Terri Lasseter – stated Roswell Lee Road was in RD and Culpepper is LDR. Ms. Lasseter stated this area is where their farms are. A document from Ms. Lasseter was provided to the Clerk for the record.

Motion was made by Vice Chairman McCoy and seconded by Shirley Hines to close the Public Hearing. All were in favor.

Commissioner Hines thanked all who spoke and shared their concerns. Commissioner Hines has received information in several packages regarding a subdivision on a dirt road even if it is a different phase. Several spoke of a Master Plan. Phase I was on a paved road. There are concerns of the rezone on a dirt road. There are several areas with over four homes that are considered a subdivision. This falls back on the County and many say they want the roads paved.

Commissioner Hines has driven on Culpepper Road and there is a narrow area on the road which would have to be expanded in time.

Administrator Gay clarified the issues of permits and what was built. The issue was heated square footage vs. the total square footage. When the County sets the minimum square footage that is for the heated area. The builder expanded the bonus room to meet the minimum square footage. There was discussion on how this would be handled going forward. When the County issues a permit, it is for the total square footage. In the majority of the homes not meeting the requirements, the builder extended the Dining Room and kitchen and bonus room above the garage.

There was discussion and concerns from Commissioners of building that many homes on a dirt road. Commissioner Hines stated the Board has the option to have conditions to the Zoning even though there is a standard. You sometime must make adjustments.

Motion was made by Shirley Hines and seconded by Beth Neely-Hadley to deny the request from JB Communities and let the property remain as LDR with 5-acre lots. Voting in favor were Shirley Hines, Beth Neely-Hadley, Mary Bray and Chairman Threadgill. Vice Chairman McCoy was opposed.

A ten-minute break was taken.

VIII. UNFINISHED BUSINESS

1. Motion was made by Vice Chairman McCoy and seconded by Shirley Hines to reappoint Daniel Morgan to the DFACS Board. All were in favor. The new term will expire on June 30, 2025.
2. Motion was made by Vice Chairman McCoy and seconded by Shirley Hines to reappoint Alfons Pynenburg to the Region IV EMS Council. All were in favor. The new term will expire on June 30, 2022.

3. Motion was made by Beth Neely-Hadley and seconded by Mary Bray to reappoint Keith Braddy to the Region IV EMS Council. All were in favor. The new term will expire on June 30, 2022. Commissioner Hines stated they still need to fill an at-large position. That appointment can be made from anyone across the County. The Board of Commissioners can recommend that person who can be interviewed to fill the vacancy. Chairman Threadgill asked Administrator Gay to get that information together and place it on the next Agenda.

IX. NEW BUSINESS

1. Veronica Dowell spoke on behalf of Beverly Ball from the AURS Summer Learning Program to request \$12K from the Meriwether County Sheriff's Office for this summer's program. The desire is to still have something for the youth during these unconventional times. There are plans to start the program on July 14, 2020. Many supplies for cleaning and sanitizing are needed due to COVID-19. It is not set in stone, but the plans are to have the program at Greenville Middle School. Children will adhere to safe distancing. Commissioner Neely-Hadley stated the program amount requested had gone from \$7k to \$12K. The Drug Funds can only be used for Drug Court, Drug Treatment and Drug Education. That amount of money cannot be used from the D.A.T.E. fund. Sanitizer does not fall under the items allowed to use the funds. Commissioner Hines stated Ms. Ball has done a great job for the summer program and it is important to keep them safe and keep them reading. It was recommended that some of the funds come from the D.A.T.E. fund and some come from the General Fund. Ms. Dowell was asked for a breakdown of the Budget and how it would be spent. Commissioner Neely-Hadley stated there was no documentation of how the money was spent last year. Commissioner Hines stated the money that was paid to the Board of Education went to cover utility cost. Mr. Gregory stated we need a budget for this year and need to see how the funds were spent last year. This program serves up to 60 students.

Motion was made by Vice Chairman McCoy and seconded by Mary Bray to table the request until the next meeting. All were in favor.

2. Motion was made by Chairman Threadgill and seconded by Beth Neely-Hadley to table the appointment to the Planning Commission Board to fill an unexpired term. All were in favor.

3. Motion was made by Mary Bray and seconded by Beth Neely Hadley to approve the FY 2020-2021 Budget for DFACS in the amount of \$22,500. All were in favor.

4. Motion was made by Vice Chairman McCoy and seconded by Shirley Hines to approve the FY 2020-2021 Budget for the District Attorney's Office in the amount of \$238,273. All were in favor.

5. Motion was made by Beth Neely Hadley and seconded by Shirley Hines to approve the FY 2020-2021 Budget for the Public Defender's Office in the amount of \$169,306. All were in favor.

6. Motion was made by Mary Bray and seconded by Beth Neely Hadley to approve the FY 2020-2021 Budget for the Health Department in the amount of \$152,500. All were in favor.

7. Was removed from the Agenda.

8. Motion was made by Vice Chairman McCoy and seconded by Mary Bray to approve the FY 2020-2021 Budget for the Pine Mountain Regional Library in the amount of \$103,000. All were in favor.

9. Motion was made by Beth Neely-Hadley and seconded by Mary Bray to approve the FY 2020-2021 Budget for the County Agent in the amount of \$53,218. All were in favor.

10. Was removed from the Agenda.

11. Was removed from the Agenda.

12. Was removed from the Agenda.

13. Was removed from the Agenda.

14. Motion was made by Mary Bray and seconded by Vice Chairman McCoy to approve the FY 2020-2021 Budget for Pathways in the amount of \$5,000. All were in favor.

15. Was removed from the Agenda.

16. Was removed from the Agenda.

17. Was removed from the Agenda.

18. Motion was made by Shirley Hines and seconded by Mary Bray to approve the FY 2020-2021 Budget for Community Action in the amount of \$10,000. All were in favor.

Finance Director Gregory stated several are contracts that need to be approved for the Chairman to sign, DFACS, Public Defender, DA, County Agent, and the Library. Motion was made by Beth Neely Hadley and seconded by Vice Chairman McCoy to allow the Chairman to sign those FY 2020-2021 Budget Contracts. All were in favor.

19. Brin Jones stated the Hazard Mitigation Plan must be completed every 5 years. We received a \$20K grant and should get \$27K back in labor cost. Motion was made by Mary Bray and seconded by Vice Chairman McCoy to approve the Resolution for the Meriwether County Hazard Mitigation Plan update 2019-2024 and allow the Chairman to sign the Resolution. All were in favor.

X. REPORT FROM THE FINANCE DIRECTOR

Finance Director, Bill Gregory, stated the General Fund was steady and the Property Tax breakdown for collections is at 96.34. We should be in good shape for the tax digest for next year.

XI. REPORT FROM COUNTY ADMINISTRATOR

Administrator Gay issued a notice to proceed for the LMIG on Owens Road. We are waiting on the return of the contract for Hill Haven Road.

The methane monitoring at the Durand Landfill is clear for May.

We are looking to issue a bid package for two new ambulances, and we have been approved for a loan and a grant in conjunction with the County Line Road Project. received news about One Loan from the State Road and Tollway Authority. There are some updates for Executive Session.

XII. REPORT FROM COUNTY COMMISSIONERS

Commissioner Mary Bray: No report at this time.

Commissioner Beth Neely-Hadley: Warm Springs will hold their annual Freedom Celebration on Saturday, June 27, 2020. Everyone was invited to attend.

Vice Chairman McCoy: has been working on the Flint River Canoe Trail. There are plans to have the deed ready to be signed at the next meeting and the Lease Agreement with the State for 25 years. Vice Chairman McCoy stated they are working to try and close out the Lake Meriwether Grant.

Commissioner Shirley Hines: reported one year ago she served on the Three Rivers Board and it was brought to the Board's attention of a grant that was available through the State Road and Tollway Authority. Theron Gay submitted County Line Road in Meriwether County as a project. We were approved for the GTI Bank Grant in the amount of \$150,000 and a loan for \$100,000 for the County Line Road Bridge improvement. Passing our T-SPLOST helped us get this grant. Another grant has been identified which is called "Our Hometown". Commissioner Hines hopes to hire a grant writer one day to help secure more grants for the County.

House Bill 426 know as the Hate Crime Bill was passed today.

Chairman Bryan Threadgill: No report at this time.

XIII. REPORT FROM COUNTY ATTORNEY

Reported an Executive Session was needed for litigation and personnel.

XIV. PUBLIC COMMENT

Arkeious Grier – from Manchester, reported his concerns of an incident where an appointed Board member posted some inappropriate remarks on a public website. Mr. Grier stated it was his opinion that anyone who is appointed by a Commissioner to serve on a Board represented the Board of

Commissioners. Mr. Grier provided a copy of the documents to the Clerk. Attorney Hill recommended this go on the next Agenda as an action item rather than under Public Comment.

Cat Jenkins – from Grantville, became aware of the divisive behavior of Dwight Bubba Allen. The behavior is immature to certain classes of people including race. He serves on two County Boards. He went out to a public protest and made comments of adults and children who attended the protest. This is behavior of a private citizen on a public forum. Whether his behavior is sanctioned by government or not, his apologies do not fix this wrong. Ms. Jenkins read aloud some of his comments that were posted on Social Media.

Nell Wilkins – from Manchester, stated she would not bring up the points that were mentioned by Arkeious. Ms. Wilkins stated there was someone at the peaceful protest in Manchester that was stalking them. Ms. Wilkins stated we need to be careful of who we recommend for these Boards. We need someone who represents the County and they should have the love and peace for everyone. Systemic Racism is real in Meriwether County. All lives do matter and now the Nation is taking a knee. This is to point out the abuse and mistreatment of African American People. Ms. Wilkins spoke from the Book of Matthew in the Bible. Ms. Wilkins stated she prays that all will stop and have a conversation. Ms. Wilkins stated we love and need police but need reform. There is not one race to blame. Ms. Wilkins stood for Juneteenth and protested for what it signifies.

XV. EXECUTIVE SESSION

Motion was made by Mary Bray and seconded by Beth Neely-Hadley to go into Executive Session at 8:19 p.m. to discuss Personnel and Litigation. All were in favor.

Motion was made by Vice Chairman Alfred McCoy and seconded by Mary Bray to go out of Executive Session at 8:50 p.m. All were in favor.

Motion was made by Vice Chairman Alfred McCoy and seconded by Mary Bray to go back into Regular Session at 8:53 p.m. All were in favor.

There was no action taken.

XVI. FUTURE MEETINGS AND ANNOUNCEMENTS

Chairman Threadgill read the Future Meetings and Announcements.

XVII. ADJOURNMENT

Motion was made by Mary Bray and seconded by Beth Neely-Hadley to adjourn at 8:53 p.m. All were in favor.

Approved by: *Majority vote of the Board of Commissioners*
Attest: *Beulily A Thomas, County Clerk*
Date: *July 28, 2020*