



# Coweta County Board of Commissioners

## Public Hearing/Regular Session

22 E Broad Street  
Newnan, GA 30263  
[www.coweta.ga.us](http://www.coweta.ga.us)

Shannon Zerangue  
770.254.2601

Tuesday, May 16, 2023

6:00 PM

Commission Chambers

~ Minutes ~

## COWETA COUNTY BOARD OF COMMISSIONERS

### Call to Order

| Attendee Name   | Title                      | Status  | Arrived |
|-----------------|----------------------------|---------|---------|
| John Reidelbach | District 4 - Chairman      | Present |         |
| Paul Poole      | District 1 - Vice Chairman | Present |         |
| Bill McKenzie   | District 2                 | Present |         |
| Bob Blackburn   | District 3                 | Present |         |
| Al Smith        | District 5                 | Present |         |
| Michael Fouts   | County Administrator       | Present |         |
| Kelly Mickle    | Assistant Administrator    | Present |         |
| Eddie Whitlock  | Associate Administrator    | Present |         |
| Nathan Lee      | County Attorney            | Present |         |
| Fran Collins    | Deputy County Clerk        | Present |         |

The Honorable Board of Commissioners met in Public Hearing/Regular Meeting Session on Tuesday, May 16, 2023.

### Meeting Called to Order

Chairman Reidelbach called the meeting to order at 6:00 p.m.

### Pledge of Allegiance

Chairman Reidelbach led the Pledge of Allegiance.

### Invocation

Invocation was given by Commissioner McKenzie.

### Notification of Location of Rules

Chairman Reidelbach explained that the rules governing the meeting could be found on the County's website as well as on the table located in the lobby outside the meeting room.

## REGULAR SESSION

### APPROVAL OF MINUTES

#### 1. Minutes of Thursday, April 20, 2023

The Board voted to approve the minutes from the Called Meeting/Work Session held on April 20, 2023.

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|------------------|-----------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                   |
| <b>MOVER:</b>    | Bill McKenzie, District 2                     |
| <b>SECONDER:</b> | Paul Poole, District 1 - Vice Chairman        |
| <b>AYES:</b>     | Reidelbach, Poole, McKenzie, Blackburn, Smith |

#### 2. Minutes of Tuesday, May 02, 2023

The Board voted to approve the minutes from the Public Hearing/Regular Meeting Session held on May 2, 2023.

**RESULT:**           **APPROVED [UNANIMOUS]**  
**MOVER:**           Bill McKenzie, District 2  
**SECONDER:**       Paul Poole, District 1 - Vice Chairman  
**AYES:**            Reidelbach, Poole, McKenzie, Blackburn, Smith

## CONSENT AGENDA

### 3. 13858 Confirm Execution of Amendments to Chapter 10. Animals of the Coweta County Code of Ordinances

Commissioner McKenzie explained that he would like to amend *Article VI. Section 10-101(a) and (c)* of the *Animal Services Ordinance* to allow an owner a period of 3-days to reclaim an animal (instead of 7-days) before the animal becomes property of Animal Services.

In response to a question from Commissioner Smith, Commissioner McKenzie explained that Animal Services works hard to return lost animals if they have been notified by an owner and recommended that a pet sitter notify the owner if an animal becomes lost so that the owner can contact Animal Services within the 3-day period. He also explained that Animal Services will hold an animal beyond the 3-days if the owner is unable to immediately retrieve the animal.

The Board voted to confirm execution of amendments to *Chapter 10. Animals* of the *Coweta County Code of Ordinances*, including an amendment to *Article VI. Section 10-101(a) and (c)* allowing an owner a period of 3-days to reclaim an animal (instead of 7-days) before the animal becomes property of Animal Services.

**RESULT:**           **CONFIRMED [UNANIMOUS]**  
**MOVER:**           Bill McKenzie, District 2  
**SECONDER:**       Paul Poole, District 1 - Vice Chairman  
**AYES:**            Reidelbach, Poole, McKenzie, Blackburn, Smith

## SUPPLEMENTAL AND NON-AGENDA ITEMS

Motion To:       **Approve Supplemental and/or Non-Agenda Items**

The Board voted to approve the addition of two (2) Non-Agenda items for discussion as presented by staff.

**RESULT:**           **APPROVED [UNANIMOUS]**  
**MOVER:**           Al Smith, District 5  
**SECONDER:**       Paul Poole, District 1 - Vice Chairman  
**AYES:**            Reidelbach, Poole, McKenzie, Blackburn, Smith

## PUBLIC HEARING (The Chairman will Call for Any Comments Regarding the Following Items After Each Item is Presented)

### 4. Motion To:       **Continuation of the Public Hearing Regarding Relocation of the Chandler Cemetery**

Assistant Community Development Director Ben Sewell explained that tonight is a continuation of a Public Hearing held on May 2, 2023 regarding an application filed by P&L Bridgeport Development, LLP for a permit to relocate the Chandler Cemetery located within Parcel # 077-2121-001 in Land Lot 122, District 2. Upon review of the application, staff has determined that it complies with State law, *Title 36 Local Government, Provisions Applicable to Counties and Municipal Corporations, Chapter 72 Abandoned Cemeteries and Burial Grounds* (O.C.G.A. §36-72-1 -

O.C.G.A. §36-72-16) which outlines the process for relocation of a cemetery including a required Public Hearing. He further explained that the application requirements include proof of ownership, a report from an archeologist stating the number of graves believed to be at the location, a survey showing the location and boundaries of the cemetery based upon the archeologist's report, a plan prepared by a genealogist identifying and notifying the descendants of those believed to be buried in the cemetery, and the proposal for the location. He highlighted the considerations in making a decision regarding the relocation including any presumption in favor of leaving the cemetery undisturbed, concerns/comments from any descendants of those buried in the cemetery or from any other interested parties, economic and other costs of mitigation to relocate the cemetery, adequacy of the applicant's plans for disinterment and proper disposition of any human remains/burial objects, balancing the applicant's interest with the public's/descendant's interest in the value of the undisturbed cultural and natural environment, and any other compelling factors that the Board deems relevant. He noted the current location of the cemetery in relation to the developer's future master plan, and the relocation plan to Southview Cemetery in Moreland (1.7± miles south/southwest of the current location).

In response to a question from Chairman Reidelbach, Mr. Sewell explained that the applicant retained Mr. Steve Webb, Senior Archeologist with R. S. Webb and Associates, to advertise the request, notify the descendants of those believed to be buried in the cemetery, and identify the proposed new location. The County did not receive any response; however, R. S. Webb and Associates can explain the correspondence they have had with the potential descendents.

Mr. Tom Barranco, applicant representative, explained that he and Mr. Webb are present to field any questions from the Board.

In response questions from Commissioner Smith, Mr. Webb, explained that his company has performed approximately eleven (11) exhumation projects in Georgia and approximately fifteen (15) to twenty (20) in South Carolina and North Carolina. Potential descendants are notified of the removal and relocation of remains to the new cemetery location, a legal record is kept of those notifications, and some families do respond to the notifications even if they have no objections.

Chairman Reidelbach called for any comments in support of or in opposition to the proposed relocation. There were none.

Chairman Reidelbach called for any further comments from staff. There were none.

Administrator Fouts explained that State law does authorize a permit fee and staff recommends the assessment of \$2,500.00 if approved by the Board.

Mr. Barranco explained that he has no objection to the \$2,500 permit fee.

The Board voted to close the Public Hearing regarding a request filed by P&L Bridgeport Development, LLP to relocate Chandler Cemetery located within Parcel # 077-2121-001 in Land Lot 122, District 2.

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| <b>RESULT:</b>   | <b>PUBLIC HEARING CLOSED [UNANIMOUS]</b>      |
| <b>MOVER:</b>    | Al Smith, District 5                          |
| <b>SECONDER:</b> | Bill McKenzie, District 2                     |
| <b>AYES:</b>     | Reidelbach, Poole, McKenzie, Blackburn, Smith |

13772 Continuation of a Public Hearing Regarding a Proposed Relocation of the Chandler Cemetery - 2nd District

Commissioner McKenzie explained that relocating the cemetery will provide easier access for the Chandler family or any descendents in the future.

The Board voted to approve a request filed by P&L Bridgeport Development, LLP to relocate Chandler Cemetery located within Parcel # 077-2121-001 in Land Lot 122, District 2 with the caveat that the applicant pay a \$2,500 permit fee.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                   |
| <b>MOVER:</b>    | Bill McKenzie, District 2                     |
| <b>SECONDER:</b> | Paul Poole, District 1 - Vice Chairman        |
| <b>AYES:</b>     | Reidelbach, Poole, McKenzie, Blackburn, Smith |

5. Motion To: **13793 : REZ 22-27 City of Hope (Benjamin Mays)**

Zoning Coordinator Lisa Eschman presented Petition # REZ 22-27 filed by City of Hope (Benjamin Mays) requesting to rezone 4.13± acres located on SR 85, Senoia (Parcel # 167-1315-001) from *RC (Rural Conservation)* to *C-4 (Commercial Service)* for a funeral home facility with no crematory. She explained that although a funeral home is not a permitted use under the *C-4 (Commercial Service)* district, the use can be allowed with a Conditional Use Permit (CUP). In conjunction with this rezoning request, the applicant has filed an application for a Conditional Use Permit (Petition # CUP 22-07) that is scheduled for consideration by the Board later in the meeting. She further explained that the subject property is located along SR 85 and is situated among a primarily residential area except for an existing pocket of commercially zoned tracts which no longer have business operations, or which were never developed. The conceptual site plan shows a 6,768 square feet funeral home centrally located on the subject property and is primarily accessed from SR 85. A total of seventy-six (76) parking spaces are proposed around the perimeter of the building, the required 50-foot buffer is located along the northern and eastern property lines, and the proposed stormwater detention is situated in the side yard at the northeast corner of the property. According to the rendering submitted with the application, the exterior building materials will be comprised of brick with stone accents and wood columns. In closing, she reviewed the zoning classifications of the surrounding properties, highlighted the factors considered by staff during the application process, and presented ten (10) conditions for consideration by the Board should they chose to approve the rezoning request.

In response to a question from Commissioner Smith, Public Works Director Tod Handley explained that because of the nature of the development (funeral home), the times that people are generally coming in and leaving do not typically coincide with peak a.m./p.m. traffic hours. Most funeral processions include a hearse or law enforcement escort, and the proposed condition regarding a decel lane was the decision of the Georgia Department of Transportation (GDOT).

Chairman Reidelbach pointed out the SR 85 is a state highway and a condition can be added to require assistance from law enforcement with traffic and/or for escort of funeral processions.

Administrator Fouts recommended that the additional condition be included with the rezoning as well as with the associated Conditional Use Permit (CUP) if desired by the Board.

Assistant Attorney Lee explained that the County cannot be required to pay for law enforcement assistance during a funeral procession and it would be the applicant's responsibility.

Mr. Benjamin Mays, applicant, expressed appreciation to the Board for their consideration. He explained that plans have been reviewed and every funeral procession will include law enforcement escorts as an added layer of protection for families.

Chairman Reidelbach called for any comments in support of the proposed rezoning.

Dr. Phillip Swords, Jefferson Street, Newnan spoke in support of the CUP explaining that he and his partners purchased the property years ago, a portion of the property was sold to Peachtree Baptist Church, and the pastor suggested that either a dental office or a funeral home would be a good fit for the location.

Chairman Reidelbach called for any comments in opposition to the proposed rezoning. There were none.

Chairman Reidelbach called for any further comments from staff. There were none.

The Board voted to close the Public Hearing regarding Petition # REZ 22-27 filed by the City of Hope (Benjamin Mays) requesting to rezone 4.13± acres located on SR 85, Senoia (Parcel # 167-1315-001) from *RC (Rural Conservation)* to *C-4 (Commercial Service)*.

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| <b>RESULT:</b>   | <b>PUBLIC HEARING CLOSED [UNANIMOUS]</b>      |
| <b>MOVER:</b>    | Paul Poole, District 1 - Vice Chairman        |
| <b>SECONDER:</b> | Bill McKenzie, District 2                     |
| <b>AYES:</b>     | Reidelbach, Poole, McKenzie, Blackburn, Smith |

**13793 Public Hearing Regarding Petition # REZ 22-27 Filed by City of Hope (Benjamin Mays) Requesting to Rezone Property Located at SR 85, Senoia**

The Board voted to rezone 4.13± acres located on SR 85, Senoia (Parcel # 167-1315-001) from *RC (Rural Conservation)* to *C-4 (Commercial Service)* as requested in Petition # REZ 22-27 filed by the City of Hope (Benjamin Mays), subject to the following conditions:

1. The subject property shall be conditionally zoned to *C-4 (Commercial Service District)* for a funeral home facility with no crematory pending the approval of a Conditional Use Permit request (Petition # CUP 22-07).
2. The applicant shall design a decel lane for this development and provide a sight distance profile for the potential access point. The proposed access must meet the sight distance profile distance looking left and Georgia Department of Transportation (GDOT) access spacing for the posted speed limit of 55 MPH (350 feet).
3. All applicable requirements of Development Review, Public Works/Engineering, Building, Fire, Environmental Health, and the Water and Sewerage Authority shall be met.
4. The entire site shall be meet the all the requirements under *Appendix A. Zoning and Development, Article 26. Quality Development Corridor District* of the *Coweta County Code of Ordinances*.
5. The applicant shall comply with *Coweta County Stormwater Management, Soil Erosion and Sedimentation Control, and Wetlands Protection Ordinances*. Runoff reduction practices meeting the current stormwater manual and *Chapter 30, Article IV* of the *Coweta County Code of Ordinances* are required for this development and shall not be allowed in the bottom of the detention/retention pond.
6. A 50-foot buffer shall be planted along the northern and eastern property boundaries adjoining the *RC (Rural Conservation)* zoning district and shall incorporate the landscape requirements under *Appendix A. Zoning and Development, Articles 25 and 26* of the *Coweta County Code of Ordinances*. A landscape plan shall be submitted and approved by the

Community Development Department to ensure existing and/or planted materials provide appropriate screening and buffer of sound.

7. The applicant shall obtain a land disturbance permit within a twelve (12) month period beginning the next business day following approval by the Board. If the applicant fails to do so, the Board may initiate rezoning of the property.
8. Lighting shall incorporate full cutoff fixtures so adjacent residential properties and roadways are not adversely affected, and to preclude glare onto or direct illumination of adjacent properties and streets.
9. Any signage must be reviewed and approved by the Community Development Department in accordance with the *Coweta County Sign Ordinance*.
10. Any business activity shall agree to work with the County in good faith to address any concerns, complaints related to odor, glare, noise, or similar objectionable features.
11. A law enforcement escort shall be provided by the applicant during all funeral processions.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                   |
| <b>MOVER:</b>    | Paul Poole, District 1 - Vice Chairman        |
| <b>SECONDER:</b> | Al Smith, District 5                          |
| <b>AYES:</b>     | Reidelbach, Poole, McKenzie, Blackburn, Smith |

6. Motion To: **13759 : CUP 22-07 - City of Hope - Funeral Home**

*\*\*Note: Because there wasn't a quorum for the Board of Zoning Appeals meeting scheduled on April 27, 2022, the Public Hearing regarding those cases was conducted by the Board of Commissioners to meet time restraints associated with State law and local ordinances.\*\**

Zoning Coordinator Eschman presented Petition # CUP 22-07 filed by Benjamin Mays (City of Hope) requesting a Conditional Use Permit (CUP) for a funeral home facility with no crematory on 4.13± acres located on Hwy 85, Senoia (Parcel # 167-1315-001). She explained that the applicant submitted the CUP request in conjunction with rezoning Petition # REZ 22-27 (presented and approved earlier in the meeting). The conceptual site plan shows a 6,768 square feet funeral home centrally located on the subject property with a proposed total of seventy-six (76) parking spaces around the perimeter of the building. The stormwater detention is situated in the side yard at the northeast corner of the property, and the exterior building materials will be comprised of brick with stone accents and wood columns. In closing, she highlighted the factors considered by staff during the application process and presented seven (7) conditions for consideration by the Board should they chose to grant the Conditional Use Permit.

Mr. Benjamin Mays, applicant, was present but declined the opportunity to address the Board.

Chairman Reidelbach called for any comments in support of or in opposition to the proposed Conditional Use Permit. There were none.

Chairman Reidelbach called for any further comments from staff. There were none.

The Board voted to close the Public Hearing regarding Petition # CUP 22-07 filed by Benjamin Mays (City of Hope) requesting a Conditional Use Permit (CUP) for 4.13± acres located on Hwy 85, Senoia (Parcel # 167-1315-001).

**RESULT:** PUBLIC HEARING CLOSED [UNANIMOUS]  
**MOVER:** John Reidelbach, District 4 - Chairman  
**SECONDER:** Bob Blackburn, District 3  
**AYES:** Reidelbach, Poole, McKenzie, Blackburn, Smith

**13759 Public Hearing Regarding Petition # CUP 22-07 Filed by City of Hope Requesting a Conditional Use Permit for Property Located on Hwy. 85, Senoia**

The Board voted to grant a Conditional Use Permit (CUP) for 4.13± acres located on Hwy 85, Senoia (Parcel # 167-1315-001) as requested in Petition # CUP 22-07 filed by Benjamin Mays (City of Hope), subject to the following conditions:

1. The applicant shall design a decel lane for this development and provide a sight distance profile for the potential access point. The proposed access must meet the sight distance profile distance looking left and Georgia Department of Transportation (GDOT) access spacing for the posted speed limit of 55 MPH (350 feet).
2. All applicable requirements of Development Review, Public Works/Engineering, Building, Fire, Environmental Health, and the Water and Sewerage Authority shall be met.
3. The entire site shall be meet the all the requirements under *Appendix A. Zoning and Development, Article 26. Quality Development Corridor District* of the *Coweta County Code of Ordinances*.
4. The applicant shall comply with *Coweta County Stormwater Management, Soil Erosion and Sedimentation Control, and Wetlands Protection Ordinances*. Runoff reduction practices meeting the current stormwater manual and *Chapter 30, Article IV* of the *Coweta County Code of Ordinances* are required for this development and shall not be allowed in the bottom of the detention/retention pond.
5. A 50-foot buffer shall be planted along the northern and eastern property boundaries adjoining the *RC (Rural Conservation)* zoning district and shall incorporate the landscape requirements under *Appendix A. Zoning and Development, Articles 25 and 26* of the *Coweta County Code of Ordinances*. A landscape plan shall be submitted and approved by the Community Development Department to ensure existing and/or planted materials provide appropriate screening and buffer of sound.
6. Lighting shall incorporate full cutoff fixtures so adjacent residential properties and roadways are not adversely affected, and to preclude glare onto or direct illumination of adjacent properties and streets.
7. Any business activity shall agree to work with the County in good faith to address any concerns, complaints related to odor, glare, noise, or similar objectionable features.
8. A law enforcement escort shall be provided by the applicant during all funeral processions.

**RESULT:** GRANTED [UNANIMOUS]  
**MOVER:** Paul Poole, District 1 - Vice Chairman  
**SECONDER:** John Reidelbach, District 4 - Chairman  
**AYES:** Reidelbach, Poole, McKenzie, Blackburn, Smith

7. Motion To: **13762 : VAR 23-01 Cindy Brooks - Front Setback Reduction**

*\*\*Note: Because there wasn't a quorum for the Board of Zoning Appeals meeting scheduled on April 27, 2022, the Public Hearing regarding those cases was conducted by the Board of Commissioners to meet time restraints associated with State law and local ordinances.\*\**

Zoning Coordinator Eschman presented Petition # VAR 23-01 filed by Cindy Brooks requesting a 10-foot front yard setback variance (from 55-feet to 45-feet) for property located 85 Beech Valley Drive, Sharpsburg (Parcel # 145A-134). She explained that the subject property consists of 1.19± acres (Lot 36, Block F, Unit 6) in the Shoal Creek Forest Subdivision, is currently zoned *RC (Rural Conservation)*, and contains a single family residence. The applicant is proposing to add an 8-foot by 6-foot roof covering an existing front door patio area and is requesting a front yard setback reduction to encroach on the required 55-foot front building setback. The proposed roof covering will extend 6-feet from the existing home and will be located 45-feet from Beech Valley Drive. In closing, she highlighted the factors considered by staff during the application process and presented two (2) conditions for consideration by the Board should they chose to grant the variance request.

Chairman Reidelbach called for any comments from the applicant. The applicant was not in attendance.

Chairman Reidelbach called for comments in support of or in opposition to the proposed variance. There were none

Chairman Reidelbach called for any further comments from staff. There were none.

The Board voted to close the Public Hearing regarding Petition # VAR 23-01 filed by Cindy Brooks requesting a 10-foot front yard setback variance (from 55-feet to 45-feet) for property located 85 Beech Valley Drive, Sharpsburg (Parcel # 145A-134).

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|------------------|-----------------------------------------------|
| <b>RESULT:</b>   | <b>PUBLIC HEARING CLOSED [UNANIMOUS]</b>      |
| <b>MOVER:</b>    | Bill McKenzie, District 2                     |
| <b>SECONDER:</b> | Paul Poole, District 1 - Vice Chairman        |
| <b>AYES:</b>     | Reidelbach, Poole, McKenzie, Blackburn, Smith |

**13762 Public Hearing Regarding Petition # VAR 23-01 Filed by Cindy Brooks Requesting a Front Yard Setback Variance for Property Located at 85 Beechvalley Drive, Sharpsburg**

The Board voted to grant a 10-foot front yard setback reduction (from 55-feet to 45-feet) for property located 85 Beech Valley Drive, Sharpsburg (Parcel # 145A-134) as requested in Petition # VAR 23-01 filed by Cindy Brooks, subject to the following conditions:

1. The roof covering shall not exceed the requested 45-foot building setback from the front property line along Beech Valley Drive.
2. The applicant shall acquire the appropriate building permits and inspections prior to construction of the porch addition.

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| <b>RESULT:</b>   | <b>GRANTED [UNANIMOUS]</b>                    |
| <b>MOVER:</b>    | John Reidelbach, District 4 - Chairman        |
| <b>SECONDER:</b> | Bob Blackburn, District 3                     |
| <b>AYES:</b>     | Reidelbach, Poole, McKenzie, Blackburn, Smith |

8. Motion To: **13763 : VAR 23-02 Rehoboth Baptist Church - Front Setback Reduction**

*\*\*Note: Because there wasn't a quorum for the Board of Zoning Appeals meeting scheduled on April 27, 2022, the Public Hearing regarding those cases was*



*conducted by the Board of Commissioners to meet time restraints associated with State law and local ordinances.\*\**

Zoning Coordinator Eschman presented Petition # VAR 23-02 filed by Rehoboth Baptist Church requesting a 50-foot front yard setback variance along Haynie Road (from 100-feet to 50-feet) for property located at 240 Bexton Road, Moreland (Parcel # 091-2197-004A). She explained that the subject property consists of 5.13± acres, is currently zoned *RC-CUP (Rural Conservation-Conditional Use Permit)*, and is located at the corner of Bexton Road and Haynie Road. The church site was originally established in 1980 and was approved for a church expansion in 1994 (under previous Petition # ZA 012-94A on June 7, 1994 by the Board of Zoning Appeals). The site currently contains a 7,200 square feet metal sanctuary building and a 3,120 square feet fellowship hall. Rehoboth Baptist Church acquired the subject property in October 2022 and early this year began the process of installing a 104-feet by 20-feet covered porch area on the existing fellowship hall without the required building permits. A portion of the covered porch encroaches into the required 100-foot front setback along Haynie Road; therefore, the applicant is requesting a 50-foot front setback reduction (100-feet to 50-feet) for the new covered porch area. Following a visit from Code Enforcement, a stop work order issued, and all construction has ceased. The applicant has started the process of obtaining the appropriate building permits; however, the encroachment within the front yard setback along Haynie Road must be resolved before permits can be issued and construction resumed. In closing, she highlighted the factors considered by staff during the application process and presented three (3) conditions for consideration by the Board should they chose to grant the variance request.

Chairman Reidelbach called for any comments from the applicant. The applicant was present but declined an opportunity to address the Board.

Chairman Reidelbach called for comments in support of or in opposition to the proposed variance. There were none.

Chairman Reidelbach called for any further comments from staff. There were none.

The Board voted to close the Public Hearing regarding Petition # VAR 23-02 filed by Rehoboth Baptist Church requesting a 50-foot front yard setback variance along Haynie Road (from 100-feet to 50-feet) for property located at 240 Bexton Road, Moreland (Parcel # 091-2197-004A).

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| <b>RESULT:</b>   | <b>PUBLIC HEARING CLOSED [UNANIMOUS]</b>      |
| <b>MOVER:</b>    | Bill McKenzie, District 2                     |
| <b>SECONDER:</b> | Paul Poole, District 1 - Vice Chairman        |
| <b>AYES:</b>     | Reidelbach, Poole, McKenzie, Blackburn, Smith |

**13763 Public Hearing Regarding Petition # VAR 23-02 Filed by Rehoboth Baptist Church Requesting a Front Yard Setback Variance for Property Located at 240 Bexton Road, Moreland**

The Board voted to grant a 50-foot front yard setback reduction (from 100-feet to 50-feet) from Haynie Road for property located at 240 Bexton Road, Moreland (Parcel # 091-2197-004A) as requested in Petition # VAR 23-02 filed by Rehoboth Baptist Church, subject to the following conditions:

1. The covered porch shall not exceed the requested 50-foot front building setback at the northern property boundary along Haynie Road.
2. The applicant shall acquire the appropriate building permits and inspections prior to construction of the porch addition.

3. The applicant shall meet all the requirements of the Environmental Health Department.

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| <b>RESULT:</b>   | <b>GRANTED [UNANIMOUS]</b>                    |
| <b>MOVER:</b>    | Bill McKenzie, District 2                     |
| <b>SECONDER:</b> | Paul Poole, District 1 - Vice Chairman        |
| <b>AYES:</b>     | Reidelbach, Poole, McKenzie, Blackburn, Smith |

9. Motion To: **13761 : CUP 23-03 - Standard Block Company**

*\*\*Note: Because there wasn't a quorum for the Board of Zoning Appeals meeting scheduled on April 27, 2022, the Public Hearing regarding those cases was conducted by the Board of Commissioners to meet time restraints associated with State law and local ordinances.\*\**

Zoning Coordinator Eschman presented Petition # CUP 23-03 filed by Standard Block Company requesting a Conditional Use Permit (CUP) for property located at 198 Quarry Road, Newnan (Parcel # 046-5128-005 and 046-5128-021) for a concrete batch facility. She explained that the subject property consists of two (2) vacant parcels totaling 23.79± acres that were zoned *M (Industrial)* in 1969 when zoning was established in Coweta County. She further explained that manufacture of concrete is a permitted use within *M (Industrial)* zoning; however, the operation of a concrete batch facility requires a Conditional Use Permit (CUP). Also, a Development of Regional Impact (DRI) review by the Georgia Regional Transportation Authority (GRTA) and the Three Rivers Regional Commission (TRRC) was required (DRI #3809). She explained that the conceptual site plan shows a total building footprint of approximately 25,000 square feet with a majority of the building being utilized for the batching plant operations and a small portion (100 square feet) for an office area. Two (2) storage silos will be located south of the building in the side yard and a proposed detention pond is shown in the rear yard located outside the required 75-foot impervious stream buffer and floodplain area. A gravel block staging area surrounds the building and is enclosed by a chain link fence. A total of twenty-nine (29) parking spaces are proposed along the front of the building and access for the site will be via two (2) driveways located off Quarry Road. The driveway to the south will provide ingress/egress access to the parking and main office area while the driveway to the north will provide ingress/egress access to the gravel block staging area. According to the application, the exterior building materials will be comprised of metal panels. In closing, she highlighted the factors considered by staff during the application process and presented thirteen (13) conditions for consideration by the Board should they chose to grant the Conditional Use Permit.

Mr. Kip Oldham, applicant representative, explained that the applicant has filed a petition for a Conditional Use Permit (CUP) and not to rezone the property. In addition to the application for a CUP, the applicant went through a Development of Regional Impact (DRI # 3809) process as mandated by the Georgia Regional Transportation Authority (GRTA) based on the type of industrial use (concrete batch facility). He explained that the DRI conditions (Condition # 4) regarding driveways begin from the right-of-way coming into the site and do not require decel or accel lanes. He expressed concerns with making repairs to Bibb Drive and a curve located further away from the property (as deemed appropriate by Coweta County). He explained that those repairs could be made in the future and that doing so now will prevent the applicant from proceeding with the project. He expressed further concerns with the condition requiring a 20-foot tree planting area (Condition # 5) along the staging area and suggested slats be utilized in the 6-foot fence to shield the view. Lastly, he expressed concerns with the proposed hours of

operation (Condition # 7) citing an existing adjacent industry that operates 24 hours a day/7 days a week. He requested that the Board consider allowing limited truck traffic from 6:00 a.m.-6:00 p.m. from Monday-Friday and work operations 24 hours a day/6-days a week (Monday-Saturday) with no work on Sundays.

Public Works Director Handley explained that the traffic study performed for the development includes comments from the traffic consultant regarding conditions of the roadways leading to this site. The County performed Full Depth Reclamation (FDR) on Quarry Road in 2019 and the roadway is in good condition. Bibb Drive has not been rehabilitated and has been in its current condition for a minimum of ten (10) years. Another industrial development utilizes Bibb Drive and staff does not feel it is fair to place the responsibility to rehabilitate Bibb Drive solely on the applicant. Bibb Drive is scheduled for rehabilitation by the County to improve its condition.

Chairman Reidelbach called for comments in support of the proposed Conditional Use Permit.

Mr. Tim Lassetter, Thigpen Road, Newnan, spoke in support of the proposed CUP citing benefits to the local area, support from the nearby church and residential properties, past existence of this type of facility in the county, and that nearby Airco Sandblasting operates 24/7 and has over 300 employees.

Chairman Reidelbach called for comments in opposition to the proposed Conditional Use Permit.

The following citizens spoke in opposition to the proposed CUP citing negative impact to the local area, changing the proposed hours of operation, loss of rural character, other areas more suitable for industrial development, the need roadway improvements, increased light and noise pollution, proximity to a church, homes and a ball field, interruption of the connection between the small Arnco and Sergeant communities, optics of industry, and that the industry is out of touch with the local community.

- Ms. Beth Neely, Sherwood Drive, Newnan
- Mr. Robert Boyce, Turner Road, Newnan,

In rebuttal, Mr. Oldham explained that control of traffic to the site will be via an operational plan, Bibb Drive to Hwy 16 is currently being utilized by Airco Sandblasting, and the applicant will only utilize a small portion of Quarry Road.

In response to a question from Commissioner Smith, Mr. Oldham noted the location of Airco Sandblasting on the overhead map and explained that it abuts a residential area in Arnco.

In response to a question from Chairman Reidelbach, Administrator Fouts explained that if the Board sets conditions regarding hours of operation and those conditions are not followed, it will be a violation of zoning and a Code Enforcement matter.

In response to a question from the Board, Ms. Eschman explained that the conditions regarding hours of operation, screening, fencing, and landscaping were included in the staff report to mitigate some of the noise from the facility and some of the impact to the residential community and pointed out the location of the church on the overhead map.

Assistant Community Development Director Sewell explained that a gravel storage area has to be screened by a 20-foot buffer according to County ordinances and that if the applicant wishes to eliminate that requirement, it will require a separate variance application. A security fence can be placed by the applicant in conjunction with the buffer but is not a typical development requirement.

Commissioner McKenzie explained that he has reviewed comments from staff, is

very familiar with the area, has not been around a concrete block making plant for a long time and doesn't remember that it created a lot of noise. He further explained that trucks and vehicles will only need access from a small section of Quarry Road, and he does not agree with several of the conditions recommended by staff. Lastly, he noted that the site will require permitting from the Environmental Protection Division (EPD) which should alleviate health concerns from nearby residents.

Chairman Reidelbach called for any further comments from staff. There were none.

The Board voted to close the Public Hearing regarding Petition # CUP 23-03 filed by Standard Block Company requesting a Conditional Use Permit (CUP) for property located at 198 Quarry Road, Newnan (Parcel # 046-5128-005 and 046-5128-021).

|                  |                                               |
|------------------|-----------------------------------------------|
| <b>RESULT:</b>   | <b>PUBLIC HEARING CLOSED [UNANIMOUS]</b>      |
| <b>MOVER:</b>    | John Reidelbach, District 4 - Chairman        |
| <b>SECONDER:</b> | Bob Blackburn, District 3                     |
| <b>AYES:</b>     | Reidelbach, Poole, McKenzie, Blackburn, Smith |

**13761 Public Hearing Regarding Petition # CUP 23-03 Filed by Standard Block Company Requesting a Conditional Use Permit for Property Located on Quarry Road, Newnan**

Attorney Lee explained that DRI conditions are imposed by the State and under State law, a Conditional Use Permit is considered a rezoning.

Administrator Fouts noted that Mr. Handley addressed Condition # 4 (from the DRI) regarding Bibb Drive earlier in the meeting. The County is allowed some discretion (other than the driveway entrances on Quarry Road) but has no additional requests regarding Condition # 4.

Public Works Director Handley explained that Bibb Drive will be included on another roadway rehabilitation project.

In response to questions from Commissioner McKenzie, Administrator Fouts explained that the Airco Sandblasting property was zoned industrial when it was purchased so it only had to apply for a business license and did not have to come before the Board for zoning or a CUP, or go through a DRI process. The subject property is zoned industrial, but a CUP is required for operation of a concrete batch plant.

Mr. Handley explained that development of a concrete plant automatically triggers a DRI by the State.

Mr. Oldham explained that the proposed hours of operation do not allow for two (2) 12-hour operational shifts and truck traffic will be during daylight hours.

The Board discussed at length the proposed hours of operation and allowable hours for truck traffic.

The Board voted to grant a Conditional Use Permit (CUP) for 23.79± acres located at 198 Quarry Road, Newnan (Parcel # 046-5128-005 and 046-5128-021) as requested in Petition # CUP-23 filed by Standard Block Company, subject to the following conditions:

1. Approval of this request is contingent upon the issuance of all permits from the Environmental Protection Division (EPD).
2. The applicant shall meet all the requirements of Development Review, Public Works, Fire, Building, and Environmental Health.
3. The applicant shall direct all truck traffic from the southeast along Quarry

Road via Bibb Drive and W. Hwy 16 because of weight restricted and low clearance bridges located to the north. The applicant shall install signage at each entrance directing all truck traffic to southeast from the site.

4. All DRI conditions from DRI # 3809 in Attachment A shall be the responsibility of the developer.

General Conditions of Approval to Georgia Regional Transit Authority (GRTA) Notice of Decision:

Pedestrian, Bicycle and Transit Facilities:

- Provide pedestrian connectivity between all buildings and uses.

Roadway and Site Access Improvement Conditions to GRTA Notice of Decision:

Driveway 1 at Quarry Road:

- Construct driveway to consist of one ingress and one egress lane.

Driveway 2 at Quarry Road:

- Construct driveway to consist of one ingress and one egress lane.

Bibb Drive:

- Repave portions of the roadway with potholes and extreme cracking as deemed appropriate by Coweta County.
- Coordinate with Coweta County to address inadequate turn radii to accommodate large vehicle movements at the bend in Bibb Drive approximately 400 feet west of SR 16.

Bibb Drive at SR 16:

- Coordinate with Coweta County to address inadequate turn radii to accommodate large vehicle movements at the intersection. Consider construction of channelizing islands or reconstruct the roadway to accommodate for a turn radius of at least 75 feet.
5. A 20-foot tree planting area shall be implemented along the road frontage of the property. The tree planting schedule shall follow the tree planting requirements of *Appendix A. Zoning and Development, Article 26, Section 261 (E)(1)(c). Perimeter Planting* of the *Coweta County Code of Ordinances*. Shrubs and groundcover are not part of this planting requirement.
  6. The applicant shall comply with *Coweta County Stormwater Management, Soil Erosion and Sedimentation Control, and Wetlands Protection Ordinances*. Runoff reduction practices meeting the current stormwater manual and *Chapter 30, Article IV* of the *Coweta County Code of Ordinances* are required for this development and shall not be allowed in the bottom of the detention/retention pond.
  7. The operating hours for the concrete facility shall be 24 hours a day Monday - Friday and from 6:00 a.m. - 6:00 p.m. on Saturday. No operations are permitted on Sunday. Truck traffic is restricted to the hours of 6:00 a.m. to 6:00 p.m. Monday - Saturday.
  8. The applicant shall be responsible for ensuring all dust and related product materials stay contained within the subject property to prevent any hinderance to the public right-of-way along Quarry Road.
  9. The applicant shall install a six (6) feet galvanized coated chain link fence around the gravel block staging area. The fence shall stay in good working

order and be replaced when it becomes damaged, or at the County's discretion.

10. The applicant shall provide all approved documentation from the Environmental Protection Division (EPD) before the issuance of a Coweta County Business License.
11. The applicant shall provide a land disturbance permit within a 12-month period beginning the next business day following approval by the Board. If the applicant fails to do so, the Board may revoke the Conditional Use Permit (CUP).
12. Any lighting installed shall be established to preclude glare onto or direct illumination of adjacent properties and streets.
13. The applicant shall agree to work the County in good faith, to address any concerns to noise, odor, glare, or similar objectionable features.

|                  |                                               |
|------------------|-----------------------------------------------|
| <b>RESULT:</b>   | <b>GRANTED [UNANIMOUS]</b>                    |
| <b>MOVER:</b>    | Bill McKenzie, District 2                     |
| <b>SECONDER:</b> | Paul Poole, District 1 - Vice Chairman        |
| <b>AYES:</b>     | Reidelbach, Poole, McKenzie, Blackburn, Smith |

## REGULAR SESSION

### PUBLIC COMMENT (Items on the Agenda)

#### Public Comments Regarding Items On the Agenda

The Chairman called for comments regarding any items on the agenda. There were none.

### Recommendations from Community Development and/or the Board of Zoning Appeals

10. 13841 Request to Set a Public Hearing on June 6, 2023 Regarding a New Consumption Distilled Spirits, Beer, and Wine License Filed by Marco Avelandanez-Pineda in Operation of La Cantina Tacos and Tequilas 1, LLC Located at 15 Thomas Grace Annex Lane, Sharpsburg - 4th District

The Board voted to set a Public Hearing on June 6, 2023 at 6:00 p.m. regarding a new Consumption Distilled Spirits, Beer, and Wine License application filed by Marco Avelandanez-Pineda in operation of La Cantina Tacos and Tequilas 1, LLC located at 15 Thomas Grace Annex Lane, Sharpsburg.

|                  |                                               |                               |
|------------------|-----------------------------------------------|-------------------------------|
| <b>RESULT:</b>   | <b>PUBLIC HEARING SET [UNANIMOUS]</b>         | <b>Next: 6/6/2023 6:00 PM</b> |
| <b>MOVER:</b>    | Al Smith, District 5                          |                               |
| <b>SECONDER:</b> | Bob Blackburn, District 3                     |                               |
| <b>AYES:</b>     | Reidelbach, Poole, McKenzie, Blackburn, Smith |                               |

11. 13824 Request to Set a Public Hearing on June 20, 2023 Regarding a Proposed Amendment to Appendix A. Zoning and Development, Article 9A. Rural Residential Retirement Community and Care District (RRCC) of the Coweta County Code of Ordinances

Administrator Fouts explained that at the Commission meeting held on April 18, 2023, the Board voted to instruct staff to investigate removal of the *Rural Residential Retirement Community and Care District (RRCC)* as well as the Residential RC-PDP zoning districts from the *Coweta County Code of Ordinances*. Staff was planning to advertise that a Public Hearing would be conducted on June 20, 2023 regarding the

issue; however, have since realized that there are two (2) pending applications that will be affected. In order to allow those applications to proceed through the process, staff requests that the Public Hearing be conducted on August 22, 2023. In addition, staff is requesting that the Board consider enacting a moratorium from May 19, 2023 until the close of business on August 22, 2023 for all *RRCC* zoning applications.

The Board voted to set a Public Hearing on August 22, 2023 at 6:00 p.m. regarding a proposed amendment to *Appendix A. Zoning and Development, Article 9A. Rural Residential Retirement Community and Care District (RRCC)* of the *Coweta County Code of Ordinances*.

|                  |                                               |                                |
|------------------|-----------------------------------------------|--------------------------------|
| <b>RESULT:</b>   | <b>PUBLIC HEARING SET [UNANIMOUS]</b>         | <b>Next: 8/22/2023 6:00 PM</b> |
| <b>MOVER:</b>    | John Reidelbach, District 4 - Chairman        |                                |
| <b>SECONDER:</b> | Bob Blackburn, District 3                     |                                |
| <b>AYES:</b>     | Reidelbach, Poole, McKenzie, Blackburn, Smith |                                |

Motion To: **Enact a Moratorium Regarding RRCC Petitions**

The Board voted to execute a Resolution to Enact a Moratorium on the acceptance of Residential Retirement Community and Care (RRCC) District rezoning petitions effective May 19, 2023 and expiring at the close of business on August 22, 2023.

|                  |                                               |
|------------------|-----------------------------------------------|
| <b>RESULT:</b>   | <b>EXECUTED [UNANIMOUS]</b>                   |
| <b>MOVER:</b>    | John Reidelbach, District 4 - Chairman        |
| <b>SECONDER:</b> | Bob Blackburn, District 3                     |
| <b>AYES:</b>     | Reidelbach, Poole, McKenzie, Blackburn, Smith |

## UNFINISHED BUSINESS

### 12. 13842 Request Appointments to Various Boards/Authorities

The Board voted to reappoint Mr. Rob Brass as the 1<sup>st</sup> District representative to the Development Authority of Coweta County for the term beginning April 3, 2023 and expiring April 2, 2027.

|                  |                                               |
|------------------|-----------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                   |
| <b>MOVER:</b>    | Paul Poole, District 1 - Vice Chairman        |
| <b>SECONDER:</b> | John Reidelbach, District 4 - Chairman        |
| <b>AYES:</b>     | Reidelbach, Poole, McKenzie, Blackburn, Smith |

## NEW BUSINESS

### Bids and Contracts

#### 13. 13851 Request Approval/Execution of Supplemental Agreement # 1 with Piedmont Paving Associated with Various School Projects (RB23.7) - 1st, 3rd, and 5th Districts

The Board voted to execute Supplemental Agreement # 1 with Piedmont Paving, Inc for modifications and additions to the scope of work associated with projects at Brooks Elementary, Newnan Crossing Elementary, and Jefferson Parkway Elementary for a total contract increase of \$760,502.72 (RB23.7).

**RESULT:** EXECUTED [UNANIMOUS]  
**MOVER:** Bob Blackburn, District 3  
**SECONDER:** John Reidelbach, District 4 - Chairman  
**AYES:** Reidelbach, Poole, McKenzie, Blackburn, Smith

14. 13854 Request Approval/Execution of an Amended Intergovernmental Agreement with the Coweta County School System Associated with Various School Projects (RB23.7) - 1st, 3rd and 5th Districts

The Board voted to execute an amendment to the Intergovernmental Agreement (IGA) with the Coweta County School System for reimbursement of costs associated with projects at Brooks Elementary, Newnan Crossing Elementary, and Jefferson Parkway Elementary for an additional contract amount of \$760,502.72 (RB23.7).

**RESULT:** EXECUTED [UNANIMOUS]  
**MOVER:** Al Smith, District 5  
**SECONDER:** Paul Poole, District 1 - Vice Chairman  
**AYES:** Reidelbach, Poole, McKenzie, Blackburn, Smith

15. 13850 Request Approval/Execution of a Contract with GDOT Associated with Site Prep and Paving of Terminal Ramp and Taxiways, Phase 1 at the Newnan-Coweta County Airport

Administrator Fouts recognized Mr. Joe Rutkiewicz, Chairman of the Newnan-Coweta County Airport Authority, and Airport Manager Calvin Walker. He explained that at the Airport Authority meeting held on May 11, 2023, the Authority voted to accept grant funding from the Georgia Department of Transportation (GDOT) in the amount of approximately \$1.6 million and to approve the associated contract for Phase 1 site preparation and paving of a portion of the terminal area ramp and taxiways. The Authority is requesting that the Board consider approval to utilize in-kind labor (offender and County forces) as the local match. He explained that Phase 1 is projected to cost approximately \$2.13 million (including the State and local match), Phase 2 is projected to cost approximately \$1.7 million with a local match of \$400,000, and the total project cost is estimated to at \$6.6 million. In closing, he explained that the local match for both phases will be the use of in-kind labor.

Airport Authority Chairman Rutkiewicz explained that the Airport has recovered from some of the challenges faced over the past three (3) years because of COVID. Facilities that were vacant during that time are now leased with new tenants bringing in additional ad valorem taxes. Small businesses have continued to grow including OASIS Aviation which is an avionics maintenance repair facility that has recently started a repair school. The new avionic technicians that graduate from the program in a year will earn an average starting salary of approximately \$60,000. Another small business that refurbishes aircraft engines, Twins Aircraft Engines, is also expanding its facility. He further noted that the Airport has received a lot of interest in development on the east side. A new tenant has invested over \$5 million developing hangars which will increase the number of airport-based aircraft and ad valorem taxes. Subsequently, small businesses will follow and create more jobs. The Airport (in conjunction with the County) has invested in itself and is building two (2) new hangars which are already spoken for. He explained that the funding for east side terminal ramp area will allow the Airport to provide for a future terminal building and will continue its success. In closing, he expressed appreciation to the Board and County staff for their continued support.

Airport Manager Walker recognized Chairman Rutkiewicz and former Airport Authority Chairman Dale Pepper for their leadership, promotion of growth at the Airport, and



for increasing the number of based aircraft (over 200) which will create a national impact and more funding from the Federal government. He also expressed appreciation to the Board for their support.

The Board expressed appreciation to Mr. Rutkiewicz, Mr. Walker, Mr. Pepper, and Airport staff for their hard work.

Administrator Fouts expressed appreciation to District 3 GDOT Board member Dennis McEntire and explained that he was instrumental in advocating for the project.

The Board voted to execute a contract with GDOT Aviation for State assistance in the amount of \$1,599,999.75 associated with Phase 1 of site preparation and paving of a portion of the terminal area ramp and taxiways at the Newnan-Coweta County Airport and to approve use of County forces as in-kind labor for the project.

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| <b>RESULT:</b>   | <b>EXECUTED [UNANIMOUS]</b>                   |
| <b>MOVER:</b>    | John Reidelbach, District 4 - Chairman        |
| <b>SECONDER:</b> | Bob Blackburn, District 3                     |
| <b>AYES:</b>     | Reidelbach, Poole, McKenzie, Blackburn, Smith |

16. 13853 Request Approval/Execution of Fiscal Year 2024 Capacity Agreement Associated with Housing State Inmates at the Correctional Institute

Commissioner McKenzie explained that Warden Larry Clifton was notified that the annual Capacity Agreement with the Department of Corrections (DOC) was increasing the per diem from \$22 to \$24 per day. Within a 24-hour period, Warden Clifton received another notification that a mistake had occurred and the per diem would remain at \$22 per day. He encouraged the Department of Corrections (DOC), the Corrections Board, and the General Assembly to review the service and programs provided, compliance requirements that have to be met by county prisons, and increasing costs at the local, state, and national level.

The Board voted to execute the Fiscal Year 2024 Capacity Agreement with the Georgia Department of Corrections (DOC) associated with housing of State inmates at the Coweta County Correctional Institute.

|                  |                                               |
|------------------|-----------------------------------------------|
| <b>RESULT:</b>   | <b>EXECUTED [UNANIMOUS]</b>                   |
| <b>MOVER:</b>    | Bill McKenzie, District 2                     |
| <b>SECONDER:</b> | Paul Poole, District 1 - Vice Chairman        |
| <b>AYES:</b>     | Reidelbach, Poole, McKenzie, Blackburn, Smith |

17. 13862 Request Approval/Execution of a Memorandum of Understanding Associated with an Economic Development Project (Hitachi) - 3rd District

Administrator Fouts recognized Ms. Sarah Jacobs, President of the Coweta County Development Authority, and explained that she has been instrumental in working through Project Hitachi. He further explained that in 1988, Kawasaki Loaders Manufacturing constructed a manufacturing facility located at 60 Amlajack Boulevard in Coweta County. This facility was expanded in 1998 to accommodate market growth, and in 2015 Hitachi Construction Machinery (HCM) acquired Kawasaki and continued to operate the plant. In 2018, HCM began plans to relocate its corporate headquarters and support services to the Amlajack Boulevard property. In 2021, the Development Authority provided HCM a tax incentive proposal to assist with the expansion and redevelopment plans. The project will consist of redeveloping a majority of existing property to accommodate its corporate headquarters and support facilities including a training facility. The project will be leased by the Development Authority to the company pursuant to a

lease agreement with completion expected no later than December 31, 2025. HCM plans to employ at least twenty (20) new full-time employees with an average wage of \$85,000 per year and have a minimum investment of \$33 million. To assist with the project, the Development Authority has agreed to issue bonds to finance the project and as usual, the bonds are no obligation to Coweta County, the Development Authority or any other governmental entity involved. He explained that as proposed and outlined in a Memorandum of Agreement (MOU), the Board of Commissioners and the Board of Assessors shall agree to value the leasehold interest in the property for real property only. The existing real property will remain in the company, and they shall remit a payment in lieu of taxes (PILOT) valued at \$59,125 to reflect the fair market value of approximately \$6 million of the real property prior to the project. In addition, HCM shall have a leasehold interest beginning in year one (1) at 0% and ramping up in year ten (10) to 100% for the real property improvements. Outside the 10-year period, all other normal value will apply under State law. If the lease is terminated prior to expiration, the project will be taxable according to the normal ad valorem taxation rules and if the project does not meet the employment commitment as defined in the Agreement, the company shall be obligated to repay a pro-rata portion of the savings. The incentives are consistent with tax abatement agreements that have been executed in the recent past based on local investment and new job growth. Lastly, he explained that staff is recommending that the Board execute the MOU as proposed.

In response to a question from Chairman Reidelbach regarding employment projections, County Attorney Lee explained that a methodology is calculated into the MOU that sets performance and employment goals and if the goals are not met, the calculation will set the penalty that must be paid.

Administrator Fouts explained that many incentive agreements allow an average of the jobs and investments, but both thresholds have to be met in accordance with this MOU. In addition, an annual report requirement is part of the MOU that will go to Ms. Jacobs to ensure that HCM is meeting those requirements.

The Board voted to execute a Memorandum of Understanding (MOU) with Hitachi Construction Machinery Americas, Inc associated with an economic development project.

|                  |                                               |
|------------------|-----------------------------------------------|
| <b>RESULT:</b>   | <b>EXECUTED [UNANIMOUS]</b>                   |
| <b>MOVER:</b>    | John Reidelbach, District 4 - Chairman        |
| <b>SECONDER:</b> | Paul Poole, District 1 - Vice Chairman        |
| <b>AYES:</b>     | Reidelbach, Poole, McKenzie, Blackburn, Smith |

18. 13749 Request Approval/Execution of a Lease with the State Properties Commission for Department of Driver Services

The Board voted to execute an updated lease with the State Properties Commission (SPC) in consideration of relocation of the Department of Driver Services (DDS) from 128/130 Bullsboro Drive to the Coweta County office building at Shenandoah located at 87 Newnan Station Drive, for the term beginning July 1, 2023 and expiring June 30, 2024.

|                  |                                               |
|------------------|-----------------------------------------------|
| <b>RESULT:</b>   | <b>EXECUTED [UNANIMOUS]</b>                   |
| <b>MOVER:</b>    | Paul Poole, District 1 - Vice Chairman        |
| <b>SECONDER:</b> | John Reidelbach, District 4 - Chairman        |
| <b>AYES:</b>     | Reidelbach, Poole, McKenzie, Blackburn, Smith |

19. 13828 Bid Award Associated with Enforcement of Ordinance Regulating Rank Plant Growth and Trash Accumulation for Property Located at 49 Cedar Lane, Newnan - 2nd District

Commissioner McKenzie explained that he supports maintaining a clean property but the photograph of 49 Cedar Lane, Newnan provided by staff only showed a tarped roof and not the yard. He requested that in the future additional photographs be provided for the Board to consider. He also expressed that he does not understand the process of how a property comes before the Board for a determination.

Administrator Fouts explained that after a complaint is received, Code Enforcement attempts to make contact with the property owner, indicates the violation, gives the owner due process to clean up the property, and educates the owner regarding the County ordinances. If the owner refuses to comply, the issue is then brought before the Board. Sometimes, there is a delay between advertisement of the meeting and receipt of bids and the owner cleans up the property, which is staff's goal. Regarding the subject property, the issue is related to grass and trash and the photograph submitted did not convey that.

The Board voted to retain TRW Lawn Services, Inc to perform cleanup of property located at 49 Cedar Lane, Newnan (Parcel # 049A-181) at a total cost of \$250.00, and to place a lien on said property, should it become necessary, to recoup associated costs for said services.

|                  |                                               |
|------------------|-----------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                   |
| <b>MOVER:</b>    | Al Smith, District 5                          |
| <b>SECONDER:</b> | Bob Blackburn, District 3                     |
| <b>AYES:</b>     | Reidelbach, Poole, McKenzie, Blackburn, Smith |

20. 13829 Bid Award Associated with Enforcement of Ordinance Regulating Rank Plant Growth and Trash Accumulation for Property Located at 99 Freeman Road, Newnan - 3rd District

The Board voted to retain TWR Lawn Services, Inc to perform cleanup of property located at 99 Freeman Road, Newnan (Parcel # 046B-009G) at a total cost of \$2,900.00, and to place a lien on said property, should it become necessary, to recoup associated costs for said services.

|                  |                                               |
|------------------|-----------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                   |
| <b>MOVER:</b>    | Bob Blackburn, District 3                     |
| <b>SECONDER:</b> | Paul Poole, District 1 - Vice Chairman        |
| <b>AYES:</b>     | Reidelbach, Poole, McKenzie, Blackburn, Smith |

## Additional Action Items

21. 13856 Request Acceptance of the Guaranteed Maximum Price (GMP1) for Construction of the Leroy Johnson Community Center

Administrator Fouts explained that at the Commission meeting held on March 7, 2023, the Board voted to retain Headley Construction as the Construction Manager at Risk (CMAR) contractor for the Leroy Johnson Community Center project. Headley Construction has provided pricing based on the Guaranteed Maximum Price (GMP1) plan set from architect of record K A Oldham Design, Inc dated March 6, 2023. The total is \$1,488,820.00 and staff recommends that the Board accept the GMP1 amount.

The Board voted to accept a Guaranteed Maximum Price (GMP1) in the amount of \$1,488,820.00 submitted by Headley Construction associated with construction of the Leroy Johnson Community Center.

**RESULT:**           **ACCEPTED [UNANIMOUS]**  
**MOVER:**           John Reidelbach, District 4 - Chairman  
**SECONDER:**       Paul Poole, District 1 - Vice Chairman  
**AYES:**             Reidelbach, Poole, McKenzie, Blackburn, Smith

22. 13861 Request Approval/Execution of Tax Equity Fiscal Responsibility Act (TEFRA) Resolution Associated with West Georgia Technical College Foundation, Inc.

County Attorney Lee explained that the Development Authority was approached by West Georgia Technical College to assist with bond issuance to refinance an existing loan which is allowed by State law. This form of financing is different from the usual incentive bonds for industry and the Development Authority must conduct a Tax Equity Fiscal Responsibility Act (TEFRA) hearing. The bond hearing was duly advertised in the local legal organ (Newnan Times Herald), a bond hearing was conducted, and the legally required time was given for public comment. No one from the public was in attendance. The public also had an opportunity to submit any concerns in writing, but none were received. Lastly, he explained that the Board is not under any obligation regarding the bonds, but they must execute a resolution acknowledging that the TEFRA hearing was conducted and approving issuance of the bonds.

The Board voted to execute a Tax Equity Fiscal Responsibility Act (TEFRA) Resolution associated with issuance of revenue bonds for proposed refinancing, renovations, and improvements used by West Georgia Technical College Foundation, Inc.

**RESULT:**           **EXECUTED [UNANIMOUS]**  
**MOVER:**           Bob Blackburn, District 3  
**SECONDER:**       Bill McKenzie, District 2  
**AYES:**             Reidelbach, Poole, McKenzie, Blackburn, Smith

23. 13826 Request Approval to Temporarily Close Parks Road at the Approach to Poplar Road for Roadway Realignment (RB20.3) - 1st District

Administrator Fouts explained that the proposed closure of Parks Road at its approach to Poplar Road is scheduled from May 30, 2023 through June 29, 2023 (30 days), contingent upon weather. Public Works staff will work with the contractor to place signage and message boards, and a detour plan will also be posted.

The Board voted to temporarily close Parks Road from May 30, 2023 to June 29, 2023 (weather permitting) for the realignment of the roadway to the location of the new roundabout on Poplar Road (RB20.3).

**RESULT:**           **APPROVED [UNANIMOUS]**  
**MOVER:**           Paul Poole, District 1 - Vice Chairman  
**SECONDER:**       John Reidelbach, District 4 - Chairman  
**AYES:**             Reidelbach, Poole, McKenzie, Blackburn, Smith

## SUPPLEMENTAL/NON-AGENDA ITEMS

24. 13863 Request Approval to Request 5307 Transit Funding

Assistant County Administrator Mickle explained that because of the amount of urbanized area included within Coweta County, the Coweta Transit program is able to begin requesting 5307, or urban system, transit funding from the Federal Transit

Administration (FTA) through the Atlanta-Region Transit Link Authority (ATL). Trips that begin and end within an urbanized area qualify for 5307 funding. Trips that cross between urbanized areas and non-urbanized areas will continue to receive 5311, or rural system, transit funding through the Georgia Department of Transportation (GDOT). In order to begin receiving 5307 funding, the County must provide a funding request plan. Staff has worked with its transit consultant, WRA, to prepare the request including operating assistance in Fiscal Year 2023 and Fiscal Year 2024, planning funding, funding for communications equipment (mobile radios) for eight (8) transit buses, security cameras and equipment, office equipment and systems (software). In closing, she explained that staff is requesting approval from the Board to submit a funding request plan to the ATL in order to access 5307 transit funding.

The Board voted to approve submission of a funding request plan to the Atlanta-Region Transit Link Authority (ATL) in order to access 5307 transit funding.

|                  |                                               |
|------------------|-----------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                   |
| <b>MOVER:</b>    | Paul Poole, District 1 - Vice Chairman        |
| <b>SECONDER:</b> | Bob Blackburn, District 3                     |
| <b>AYES:</b>     | Reidelbach, Poole, McKenzie, Blackburn, Smith |

25. 13866 Request Approval to Renew Lease Associated with Property Located at 8 B Madison Street

Administrator Fouts explained that the County currently leases space at 8 B Madison Street occupied by the Public Defender's Office at a rate of \$2,065.88 per month. The current lease expires on July 31, 2023 and the agreement with MR Madison, LLC provides an option for two (2) one (1) year renewals with a 3% increase in the rental rate each year.

The Board voted to exercise the first of two (2) lease renewal options with MR Madison, LLC for space located at 8 B Madison Street to be utilized by the Public Defender's office for the term beginning August 1, 2023 and expiring July 31, 2024 at a monthly rate of \$2,127.86.

|                  |                                               |
|------------------|-----------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                   |
| <b>MOVER:</b>    | John Reidelbach, District 4 - Chairman        |
| <b>SECONDER:</b> | Paul Poole, District 1 - Vice Chairman        |
| <b>AYES:</b>     | Reidelbach, Poole, McKenzie, Blackburn, Smith |

## PUBLIC COMMENT (Items Not on the Agenda)

### Public Comments Regarding Items Not on the Agenda

Assistant County Administrator Mickle explained that former Maintenance Manager Denis Bourque has been promoted to the position of Transit Manager and the Transit program is on schedule to begin in-house operations on July 1, 2023.

Chairman Reidelbach called for comments regarding any items not on the agenda. There were none.

## EXECUTIVE SESSION - In accordance with O.C.G.A. 50-14-4

### Executive Session

There were no issues to be discussed in Executive Session.

## ADJOURNMENT

Motion To: **Adjourn**

The Board voted to adjourn the meeting.

|                  |                                               |
|------------------|-----------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                   |
| <b>MOVER:</b>    | John Reidelbach, District 4 - Chairman        |
| <b>SECONDER:</b> | Bob Blackburn, District 3                     |
| <b>AYES:</b>     | Reidelbach, Poole, McKenzie, Blackburn, Smith |

## **AFFIDAVIT**

**As set forth in the Americans with Disabilities Act of 1992, the Coweta County government does not discriminate on the basis of disability, and will assist citizens with special needs given proper notice (seven working days). For information, please call (770) 254-2608.**