



Coweta County Board of Commissioners

Public Hearing/Regular Session

22 E Broad Street
Newnan, GA 30263
www.coweta.ga.us

Shannon Zerangue
770.254.2601

Tuesday, February 13, 2024

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	
Bill McKenzie	District 2 - Vice Chairman	Present	
Paul Poole	District 1	Present	
Bob Blackburn	District 3	Present	
Al Smith	District 5	Present	
Michael Fouts	County Administrator	Present	
Eddie Whitlock	Associate Administrator	Absent	
Kelly Mickle	Assistant Administrator	Present	
Sandy Wisenbaker	Assistant Administrator	Present	
Tod Handley	Public Works Administrator	Present	
Nathan Lee	County Attorney	Present	
Shannon Zerangue	County Clerk	Present	

The Honorable Board of Commissioners of Coweta County, Georgia met in Public Hearing/Regular Meeting Session on Tuesday, February 13, 2024.

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 Smith.

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 Tuesday, January 23, 2024**

The Board voted to approve the minutes from the Public Hearing/Regular Meeting Session held on Tuesday, January 23, 2024.

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

SUPPLEMENTAL AND NON-AGENDA ITEMS

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

The Board voted to approve the addition of one (1) Non-Agenda item for discussion as presented by staff.

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

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

2. Motion To: **14291 : New Consumption Distilled Spirits, Beer & Wine License - Skinny's Bar & Grill (Glover Eats, LLC)**

Business License Coordinator Joy Thompson explained that Allyn Glover, license representative and sole owner of Skinny's Bar & Grill (Glover Eats, LLC) located at 1065 Sullivan Road, Suite F, Newnan (Parcel # 109-6005-021) has applied for a 2024 consumption distilled spirits, beer, and wine license. This location has had an active alcohol license within the past twelve (12) months (Star of India, LLC), therefore, a certificate from a Georgia registered land surveyor indicating distances as defined in *Section 6-46* is not required. The Business and Alcohol License Division has reviewed the application and finds that it is in order, meets the applicable requirements and should be considered by the Board of Commissioners in accordance with *Chapter 6* of the *Coweta County Code of Ordinances*. The required background checks (GCIC) and fingerprint reports (GBI) for Mr. Glover as applicant for license representative of the establishment are complete and show that he meets the requirements set forth in the *Alcohol Ordinance* to be the license representative.

The applicant was present but declined an opportunity to address the Board.

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

The Board voted to close the Public Hearing regarding a new consumption distilled spirits, beer, and wine license application filed by Allyn Glover, license representative and sole owner of Skinny's Bar & Grill (Glover Eats, LLC) located at 1065 Sullivan Road, Suite F, Newnan (Parcel # 109-6005-021).

RESULT: **PUBLIC HEARING CLOSED [UNANIMOUS]**
MOVER: John Reidelbach, District 4 - Chairman
SECONDER: Bill McKenzie, District 2 - Vice Chairman
AYES: Reidelbach, McKenzie, Poole, Blackburn, Smith

- 14291 Public Hearing Regarding a New Consumption Distilled Spirits, Beer and Wine License Filed by Allyn Glover in Operation of Skinny's Bar & Grill (Glover Eats, LLC) Located at 1065 Sullivan Road, Suite F, Newnan - District 4

The Board voted to grant a new consumption distilled spirits, beer, and wine license to Allyn Glover, license representative and sole owner of Skinny's Bar & Grill (Glover Eats, LLC) located at 1065 Sullivan Road, Suite F, Newnan (Parcel # 109-6005-021).

RESULT:	GRANTED [UNANIMOUS]
MOVER:	John Reidelbach, District 4 - Chairman
SECONDER:	Bill McKenzie, District 2 - Vice Chairman
AYES:	Reidelbach, McKenzie, Poole, Blackburn, Smith

3. 14319 Public Hearing Regarding Petition # REZ 23-10 Filed by Amlajack Industrial Requesting to Rezone Property Located off Walt Sanders Road, Newnan

Commissioner Blackburn recused himself from any discussion or decision regarding Petition # REZ 23-10 filed by Amlajack Industrial requesting to rezone 254.73± acres located off Walt Sanders Road, Newnan (Parcel # 096-5115-001) from *NC (New Community)* and *RC (Rural Conservation)* to *M (Industrial)* and exited the meeting.

Zoning Coordinator Lisa Eschman presented Petition # REZ 23-10 filed by Amlajack Industrial requesting to rezone 254.73± acres located off Walt Sanders Road, Newnan (Parcel # 096-5115-001) from *NC (New Community)* and *RC (Rural Conservation)* to *M (Industrial)*. She explained that the portion of the subject property currently zoned *NC (New Community)* consists of 180± acres, the portion zoned *RC (Rural Conservation)* consists of 75± acres, and the applicant is requesting to rezone the entire property to *M (Industrial)* for an industrial park. She explained that the conceptual site plan incorporates five (5) warehouse buildings measuring a combined total of 2,136,778 square feet. The property is divided by Amlajack Lake with Buildings 100 and 500 situated on its western side and Buildings 200, 300, and 400 situated on its eastern side. The applicant is proposing to contribute to the extension of Coweta Industrial Parkway to provide access to the development and to avoid utilizing Walt Sanders Road. Building 200 has frontage along the proposed Coweta Industrial Parkway extension and Buildings 300 and 400 are located east across the proposed extension and adjacent to I-85. In addition, a Georgia Power transmission line traverses the site where Buildings 300 and 400 are being proposed. According to the Coweta County Genealogical Society's book, the Arnold-Sims Family cemetery (# 532) may be located on the subject property. If determined that the cemetery does exist, the applicant/developer shall take all appropriate measures to preserve the family cemetery and to provide public access. She further explained that Amlajack Industrial was required to undergo a Development of Regional Impact (DRI) review (# 3993) which incorporated a traffic study within the methodology review and comments are included within the report. In closing, she reviewed the current zoning of properties in the surrounding area, highlighted the factors reviewed by staff during the rezoning process, and presented eighteen (18) conditions for consideration by the Board should they choose to approve the request.

In response to a question from Chairman Reidelbach, Public Works Administrator Tod Handley explained that a traffic study was performed as part of a Development of Regional Impact (DRI).

Chairman Reidelbach expressed concerns regarding increased truck traffic on Bullsboro Road, SR 154 and Amlajack Boulevard as well as impacts to the future Amlajack Interchange. He also expressed concerns that the

developer will not be required to contribute \$500,000 toward transportation improvements until after 1,000,000 square feet of buildings have been constructed (see proposed Condition # 9) and stated that he would like to know the traffic count.

In response to questions from Chairman Reidelbach, Mr. Handley explained that until the new Interchange or Amlajack Boulevard is extended to connect with Coweta Industrial, all of the traffic from the proposed development will access the site using SR 154. When Amlajack Boulevard is extended, traffic will also utilize Hwy 34. He further explained that the County wishes to proceed with the Amlajack Interchange, which is projected to begin in 10± years, because it will provide the best alternative to relieve current traffic issues on SR 154. In addition, he noted that GDOT is in the early stages of performing an improvement project on SR 154. They have selected a design consultant and are conducting surveys, aerial imagery, traffic counts and studies necessary for the design. Their project plan is to widen SR 154 to four (4) lanes and the traffic study will determine how far south the project will extend.

Commissioner McKenzie expressed concerns regarding the existing back up of vehicles from I-85 southbound to SR 154 toward SR 29, as well as from SR 29 northward across the railroad tracks toward SR 154 and the interstate.

Mr. Handley explained that should GDOT perform the SR 154 improvement project in phases, he anticipates that SR 29 to SR 34 will be the first phase and the right-of-way acquisition will be significant. He further explained that to address level of service issues, the Federal Highway Administration (FHA) requires that all federally funded projects have logical starting and ending points. A project cannot be stopped midway along a corridor at a point where traffic diminishes. In 2008-2009, staff began the process of justification for a new Interchange off I-85 (Amlajack Interchange). In 2012, the FHA approved the location and construction of the proposed Interchange and substantial traffic studies were conducted as part of the process.

In response to a question from Commissioner Smith, Mr. Handley explained that proposed Building 300 on the site plan is situated where the southbound ramp of the future Interchange will be located.

Commissioner McKenzie explained that the Board does not want to lose funding for the much-needed Amlajack Interchange project. He questioned whether the developer was prepared to present their rezoning request because the deadline has passed for them to withdraw their application (in accordance with *Article 29, Section 290 of the Zoning and Development Ordinance*) and asked if the Board could vote to allow them to withdraw.

In response to questions from Commissioner McKenzie and Chairman Reidelbach, County Attorney Lee explained that the Board cannot require that the developer withdraw the application. He further explained that should the Board approve the rezoning request and the developer constructs Building 300 prior to construction of the Amlajack Interchange, acquisition of the building by the County will be necessary. This will have to be factored into the cost of the Interchange project.

In response to a question from Attorney Lee, Mr. Handley explained that in order to relocate the ramp, the FHA will require the County to go back through the Interchange Justification study and process. Also, relocation of the ramp could possibly result in it being in a development that is

already platted.

Chairman Reidelbach explained that when an applicant requests to withdraw a rezoning application after the seven (7) day deadline (in accordance with *Article 29, Section 290* of the *Zoning and Development Ordinance*), the applicant is required to wait six (6) months to reapply.

Attorney Lee explained that should the Board desire to give the applicant additional time, they can vote to continue the Public Hearing to a future meeting (date certain).

Chairman Reidelbach explained that he would like to see the traffic study from the DRI.

Commissioner Poole expressed his concerns regarding the FHA's logical end point of GDOT's SR 154 project as SR 34. He believes that it should extend to SR 54.

Mr. Handley explained that he is unsure of the number of trips per day on SR 154 north and south of SR 34, but if GDOT decides to construct the first phase of the improvement project down to SR 34, there will be a transition on the south side of SR 34 to narrow the roadway. The future traffic volume and growth will also be projected as part of GDOT's traffic study process. He further explained that GDOT is required to design roadway improvements based upon future traffic volumes instead of current traffic volumes.

In response to a question from Commissioner Poole, Mr. Handley explained that a traffic count performed on SR 154 near Commissioner Poole's home indicated 13,000± trips per day.

Mr. Richard Ferry, applicant representative, explained that he is willing to work with staff should the Board choose to extend the application. He further explained that there is a good chance that the applicant would have to go through the DRI process again. Contractually with the current property owner, he does not believe timing to repeat that process would work well. During a slide presentation, he pointed out the location of the existing Coweta Industrial Parkway, the subject property, and Amlajack Boulevard. The applicant's goal is to rezone the property from *NC (New Community)* and *RC (Rural Conservation)* to *M (Industrial)* for approximately 2.1 million square feet of industrial space. In order to accomplish the project, Coweta Industrial Boulevard would be extended (by the developer) south to the property line. He noted that the subject property is located within the employment center for industrial uses which the applicant is proposing. The geometry of the proposed Amlajack Interchange presented by staff differs slightly from the one he has. The applicant wants to work with the County because he believes the Interchange project will be beneficial. Because he has not had an opportunity to design the site plan based upon the geometry of the Interchange as presented by staff tonight, he feels that is a valid reason to request that the Board consider a continuance. In addition, at least one of the proffered conditions requires that the Coweta Industrial Boulevard intersection be located 1,000 feet from the Interchange ramp. The applicant is willing to work this out, but the shift will move the intersection into the middle of several residential lots, and he does not have the ability to just begin construction on those lots. He requested a continuation of the Public Hearing in order to work with staff to figure out a solution to the

issues. To address Chairman Reidelbach's earlier question regarding traffic counts, he explained that the Georgia Regional Transportation Authority Report (GRTA) from the DRI indicates an additional 2,991 vehicular trips per day. The report does not break down the types of trips as automobiles versus truck traffic, but if a continuation is granted he will be happy to get that data. In closing, he explained that the geometry of the proposed Interchange (as presented tonight) significantly affects the number, size, location, and timing of the buildings as well as the nearby residential lots.

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

Mr. Warren Tillery, applicant's attorney, explained that his firm represents local governments all over the state and he understands that the Board has their practices, policies and procedures; however, the local jurisdictions that he represents regularly do not vote on a zoning issue on the same night as the Public Hearing. In this context, he explained he believes it makes sense to continue the Public Hearing and delay a vote on the rezoning request to allow the applicant to provide traffic information to the Board and to work through logistics associated with some of the proposed conditions. In terms of the continuance they are requesting, thirty-days would be manageable, and sixty-days would be even better.

Chairman Reidelbach called for any comments in opposition to the proposed rezoning.

Ms. Naomi Williams, Walt Sanders Road, Newnan, expressed her objection to allowing access off Walt Sanders Road. She explained that access off Walt Sanders Road directly across from her home was previously allowed for construction of a warehouse off Coweta Industrial Parkway. She suffered greatly during that time because her driveway was blocked by stopped construction equipment, the roadway was damaged (although repairs were made later), and she could not leave her residence because of the amount of dust created from that project. She does not want to experience these issues again and access off Walt Sanders Road will cause numerous problems for the existing residents.

Mr. Jacob Davis, Walt Sanders Road, Newnan, expressed concerns with existing and increased traffic, negative impacts to wetlands, loss of rural character in the area, and proximity to residential properties in Herring Farms. There are other areas better-suited to construct an industrial park than this area that is zoned Rural Conservation. Also, an increased buffer is needed along the northwest corner of the property, but there is no room for it as proposed by the developer. In closing, he explained that to the north of the subject property is another 200± acres that will possibly also request to be rezoned for industrial use if this application is approved.

Administrator Fouts explained that no additional speakers had requested to address the Board regarding this issue, and in accordance with the rules governing the meeting, the applicant has five (5) minutes remaining for rebuttal.

Chairman Reidelbach called for any rebuttal, but the applicant representative declined the opportunity.

Chairman Reidelbach called for any additional information from staff. There was none.

The Board voted to continue the Public Hearing regarding Petition # REZ 23-10 filed by Amlajack Industrial requesting to rezone 254.73± acres located off Walt Sanders Road, Newnan (Parcel # 096-5115-001) from NC

(New Community) and RC (Rural Conservation) to M (Industrial) until April 9, 2024 at 6:00 p.m.

RESULT:	CONTINUED [4 TO 0]	Next: 4/9/2024 6:00 PM
MOVER:	John Reidelbach, District 4 - Chairman	
SECONDER:	Paul Poole, District 1	
AYES:	John Reidelbach, Bill McKenzie, Paul Poole, Al Smith	
RECUSED:	Bob Blackburn	

REGULAR SESSION

PUBLIC COMMENT (Items on the Agenda)

Public Comments Regarding Items On the Agenda

***Commissioner Blackburn rejoined the meeting.*

Chairman Reidelbach called for any public comments regarding items on the agenda.

Mr. Daniel Lichty, Greison Trail, Newnan, spoke in support of Petition # VAR 23-34 filed by Becky Moore requesting a rear yard setback variance for property located at 295 Cabin Road, Newnan (agenda item # 4). He explained that the applicant has hired him to construct an addition on the rear of the existing residence. The addition will encroach approximately 20-feet into the required 50-foot rear yard setback. At the Board of Zoning Appeals meeting, the adjoining property owners (the Pearsons) indicated that they would not object to the setback reduction if a landscape buffer was added by the Commission as a condition. He proposed that cedar trees and magnolias be planted as a buffer and required to be in place before the final inspection and Certificate of Completion is issued.

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

4. 14268 Recommend Approval of Petition # VAR 23-34 Filed by Becky Moore Requesting a Rear Yard Setback Variance for Property Located at 295 Cabin Road, Newnan

Zoning Associate Nicole Blackwell presented Petition # VAR 23-34 filed by Becky Moore requesting a rear yard setback variance for property located at 295 Cabin Road, Newnan (Parcel # 111-6032-025) along with a recommendation of approval from the Board of Zoning Appeals. She explained that the property consists of 4.92± acres zoned *RC (Rural Conservation)*, and the applicant is requesting a 20-foot rear yard setback reduction from the required 50-feet for encroachment of an addition to the existing home. She further explained that at the Board of Zoning Appeals, the applicant's neighbors (Mr./Ms. Gary Pearson) expressed concerns regarding the setback reduction and stated that they would not have any objection as long as a landscape buffer adjacent to their property line was included as a condition. 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 choose to grant the variance request.

Ms. Blackwell fielded questions from Commissioner Poole and Commissioner Smith regarding the types of trees to be planted in the landscape buffer and explained that the addition to the home is for the applicant's growing family.

The Board voted to grant a 20-foot rear yard setback reduction (from 50-foot to 30-foot) for property located at 295 Cabin Road, Newnan (Parcel # 111-6032-025) as requested in Petition # VAR 23-34 filed by Becky Moore,

subject to the following conditions:

1. The rear building setback shall be 30-feet as shown on the diagram submitted with the variance application.
2. The applicant shall meet all the requirements of the Coweta County Building Department and Environmental Health Department.
3. A landscape buffer consisting of four (4) 7-foot Brodie Cedar Trees and four (4) Little Gem Magnolia Trees shall be installed along the edge of the western clearing limits before a Certification of Completion is issued.

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

5. 14267 Recommend Approval of Petition # VAR 23-32 Filed by Keirston Stepp Requesting a Front Yard Setback Variance for Property Located at 352 Welcome to Arnco Road, Newnan

Commissioner Smith recused himself from any discussion or decision regarding Petition # VAR 23-32 filed by Keirston Stepp requesting a front yard setback variance for property located at 352 Welcome to Arnco Road, Newnan (Parcel # 047-5065-002A) and exited the meeting.

Zoning Associate Blackwell presented Petition # VAR 23-32 filed by Keirston Stepp requesting a front yard setback variance for property located at 352 Welcome to Arnco Road, Newnan (Parcel # 047-5065-002A) along with a recommendation of approval from the Board of Zoning Appeals. She explained that the subject property consists of 1.0± acres zoned *RC (Rural Conservation)*, contains an existing home that was constructed in the 1950s prior to any zoning or setback requirements, and the applicant is requesting an 80-foot front yard setback reduction from the required 100-feet for encroachment of a covered porch. 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 choose to grant the variance request.

Commissioner McKenzie explained that should the Board grant the setback reduction, he hopes the applicant realizes how close the covered porch will be located to the roadway.

The Board voted to grant an 80-foot front yard setback reduction (from 100-feet to 20-feet) for property located at 352 Welcome to Arnco Road, Newnan (Parcel # 047-5065-002A) as requested in Petition # VAR 23-32 filed by Keirston Stepp, subject to the following conditions:

1. The front building setback shall be 20-feet along the southern section of the property line outside of the right-of-way located off Welcome to Arnco Road as shown on the diagram submitted with the variance application.
2. The applicant shall meet all the requirements of the Coweta County Building Department.

RESULT: **GRANTED [4 TO 0]**
MOVER: Bill McKenzie, District 2 - Vice Chairman
SECONDER: Bob Blackburn, District 3
AYES: John Reidelbach, Bill McKenzie, Paul Poole, Bob Blackburn
RECUSED: Al Smith

6. 14309 Request Acceptance of Additional Right-of-Way Located on Todd Road at Todd Five and Todd Seven Subdivisions - District 1

***Commissioner Smith rejoined the meeting.*

Administrator Fouts explained that Coweta Gordon Ventures, LLC has submitted a warranty deed for the donation of additional right-of-way (2.20± acres) located on Todd Road and requests acceptance by the Board. The County Attorney has reviewed and approved the legal documents prior to submittal to the Board.

The Board voted to accept the donation of the additional right-of-way (2.20± acres) located on Todd Road at Todd Five and Todd Seven Subdivisions.

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

UNFINISHED BUSINESS

7. 14308 Request Appointments to Various Boards/Authorities

The Board voted to take the following actions regarding appointments to various boards/authorities:

- Reappoint Ms. Renee Rich as the 4th District Representative to the Coweta County Library System Board of Trustees for the term beginning January 1, 2024 and expiring December 31, 2026
- Appoint Ms. Jeannie Brantley from the Three Rivers Regional Commission (TRCC) as a non-voting member of the Coweta County Transit Technical Coordinating Committee (TTCC) for the term beginning January 1, 2024 and expiring December 31, 2025

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

NEW BUSINESS

Bids and Contracts

8. 14303 Bid Award Associated with Roof Replacement, Phase 2 at the Coweta County Prison

Administrator Fouts explained that staff solicited bids for phase 2 of the roof replacement project at the Coweta County Prison. Two (2) bids were received and staff recommends that the Board retain Eskola Roofing, LLC on a lowest and best bid basis to perform the work for a total cost of \$376,184.00.

The Board voted to retain Eskola Roofing, LLC on a lowest and best bid basis to perform phase 2 of the roof replacement project at the Coweta County Prison at a total cost of \$376,184.00 (Capital Fund).

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

Additional Action Items

9. 14327 Request Clarification of Condition # 7 Associated with Previous Petition # 022-21 Filed by Kolter Group Acquisitions, LLC (aka Cresswind at Spring Haven) for Property Located Between Newnan Crossing Bypass, East Newnan Road, and Hwy 29 South, Newnan - District 2

Public Works Administrator Tod Handley explained that at the Commission meeting held on November 16, 2021, the Board voted to rezone property located at Newnan Crossing Bypass, East Newnan Road, and Hwy 29 South, Newnan [Parcels # 076-2040-002 (partial), # 076-2040-002A, # 076-2040-125, # 087-2026-001 (partial), # 087C-134, # 088-2058-001A, # 088-2039-001, and # 088-2039-002] from *RC (Rural Conservation)* to *RRCC (Residential Retirement Community & Care District)* as requested in Petition # 022-21 filed by Kolter Group Acquisitions, LLC (aka Cresswind at Spring Haven), subject to twenty-two (22) conditions for a residential development consisting of seven hundred-fifty (750) single family detached homes. During the meeting, the Board voted to revise Condition # 7 that was originally proffered by staff to state that the applicant shall contribute \$200,000 with a 5-year bond toward the costs of a traffic signal installation or other type of intersection improvement project that may be recommended through the Georgia Department of Transportation's (GDOT) Intersection Control Evaluation process for the intersection of the Bypass with SR 16, however, the revised condition did not stipulate a trigger for the period of the 5-year bond. Staff's recommended interpretation is that since the trigger event was not changed by the Board, only the amount and time were changed, that the Board clarify that the 5-year bond shall be held in force from the issuance of the 675th site prep permit. If the intersection project begins within that 5-year period, the developer's \$200,000 contribution would then be due, with the bond as security for that payment. If the intersection project is not started by the end of that 5-year period, no contribution would be due from the developer and the bond would be allowed to expire.

Commissioner McKenzie questioned whether the bond may actually expire if GDOT does not proceed with the roadway improvement within the 5-year period.

In response to a question from Chairman Reidelbach, Mr. Handley explained that the issue at hand is meeting the signal warrants to get GDOT to approve a traffic signal at the intersection of the Bypass and SR 16. In order for GDOT to approve a traffic signal on their state route, certain conditions (aka traffic warrants) must be met. Most of those conditions are related solely to traffic volume. Staff's reasoning for having this condition (# 7) tied to the latter phase of the project when all the homes have been built, is to ensure that the traffic at the intersection is experiencing all of the growth that will be contributed by this particular development. He further explained that the proposed verbiage to clarify the condition provides that should the traffic signal warrant be met any time before the latter phase of the development, the developer can go ahead and contribute the \$200,000 toward the signal.

In response to a question from Commissioner Smith, Attorney Lee explained that staff is asking that the Board clarify the condition, not change the intent of the condition.

Chairman Reidelbach explained that the Board is being asked to clarify at what point the developer is to contribute the \$200,000 toward the cost of a traffic signal.

In response to a question from Chairman Reidelbach, Mr. Handley explained that if the final phase of the development is completed within the 5-year period and the intersection still does not meet the signal warrants, the funds will be returned to the developer.

Administrator Fouts explained that currently the condition states "The applicant shall contribute \$200,000 with a 5-year bond toward the costs of a traffic signal installation or other type of intersection improvement project that may be recommended through GDOT's Intersection Control Evaluation process for the intersection of the Bypass with SR 16." The challenge is that staff does not have a trigger of when to initiate the bond requirement, so staff is requesting that the Board determine when the bond is required. The initial staff report contained a trigger of three (3) years based upon the 675th site prep permit. Currently, staff recommends that the funding be provided up front, but the conditions regarding this particular issue were set in 2021. Without changing the intent of the zoning condition (# 7), staff is asking for a determination of when the bond should be issued by the developer.

In response to a question from Chairman Reidelbach, Mr. Handley explained that a Development of Regional Impact (DRI) study was completed for this development; however, the findings for traffic counts were based upon a senior housing development. According to the DRI, this development will only generate approximately two (2) to three (3) vehicular trips per day per lot. This development is actually for a 55+ active community. Staff performed a traffic study on a comparable development and it generates traffic counts of six (6) vehicular trips per day per lot.

The Board voted to clarify Condition # 7 associated with previous Petition # 022-21 filed by Kolter Group Acquisitions, LLC (aka Cresswind at Spring Haven) to read as follows:

"# 7 The applicant shall contribute \$200,000 with a 5-year bond toward the costs of a traffic signal installation or other type of intersection improvement project that may be recommended through GDOT's Intersection Control Evaluation process for the intersection of the Bypass with SR 16. The bond shall be triggered upon the earlier of the following two (2) events:

- The commencement of construction of the intersection improvement project at SR 16 and the Southeast Bypass, or
- Prior to final plat approval of phase 4 or phase 5 of the development as depicted in the preliminary plat approved by the County on June 9, 2022, whichever phase occurs later, and remains in effect for a maximum of 5-years, that 5-year term beginning on the issuance of the last site prep permit within that latter occurring phase."

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

10. 14207 Request Approval/Execution of an Updated Title VI Plan

Public Works Administrator Handley explained that as a recipient of federal funds, Coweta County must comply with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, updates and amendments to those acts that have taken

effect, and all related regulations and directives. These laws and regulations provide that “no person on the grounds of race, color, national origin, or sex shall be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination under any program or activity whether or not those programs and activities are federally funded”. In this case, federally funded refers to any funds received through the U.S. Department of Transportation (USDOT)/Federal Highway Administration (FHWA). The Board of Commissioners last adopted a Title VI Plan at the Commission meeting held on December 14, 2021. The updated Title VI Plan has been revised from the previously approved version to reflect personnel and organizational changes that have occurred since that time, to correct contact names and telephone numbers, and to correct grammatical and other errors. The Plan includes complaint procedures, education and training requirements for County staff, provisions for improving access and accommodations for persons with limited English proficiency, and provisions for making the Title VI Plan and requirements known to the public.

The Board voted to execute an updated Title VI Plan Nondiscrimination Agreement with the Georgia Department of Transportation.

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

11. 14209 Request Approval/Execution of a Resolution to Reimburse the County for Project Expenses Associated with Certain 2025 SPLOST Projects

Administrator Fouts explained that in an effort to commence certain projects to be funded by the 2025 SPLOST, the County intends to begin a portion of the work for such projects prior to collection of 2025 SPLOST revenue to be paid from the General Fund until such time as 2025 SPLOST collections begin in January 2025. Staff is also evaluating whether to issue bonds in order to advance fund certain projects. Projects that may commence prior to 2025 include construction of an Animal Adoption Center (\$3,745,000), expansion of the Leroy Johnson Ball Park (\$2,000,000), construction of the Prowell Park (\$18,000,000), expansion of the Fairgrounds (\$7,260,000), 911 Computer Aided Dispatch/Phone System (\$5,000,000) and Sheriff's Office technology (\$1,500,000). Staff requests that the Board consider approval of a resolution that authorizes the County to reimburse itself with bond proceeds for project costs incurred prior to debt issuance (if issued).

Administrator Fouts fielded questions from Chairman Reidelbach regarding funding for Level II SPLOST projects and advanced funding for projects.

In response to a question from Commissioner McKenzie, Administrator Fouts explained that the proposed resolution allows staff to reimburse the General Fund for any monies that may be utilized for SPLOST projects before collections begin in January 2025.

In response to a question from Commissioner Smith, Administrator Fouts explained that the SPLOST referendum allows debt to be issued up to \$100 million, but staff is evaluating the need to issue up to \$38 million to commence several projects until collection of the 2025 SPLOST revenue begins in January 2025.

The Board voted to execute a resolution that authorizes the County to reimburse itself with bonds proceeds for 2025 SPLOST project costs incurred by the County prior to the issuance of debt (if issued).

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

12. 14322 Request Approval to Submit Fiscal Year 2025 Accountability Court Operating Grant Application

Administrator Fouts explained that the Coweta County Accountability Courts are requesting approval to apply for Fiscal Year 2025 funding from the Criminal Justice Coordinating Council (CJCC) for operating costs. These grants fund basic operations including personnel, therapy services, drug testing, transportation services, and basic supplies.

Commissioner McKenzie explained that he would like to see some data from the courts regarding how many individuals are being served.

The Board voted to approve submission of applications for the Fiscal Year 2025 Criminal Justice Coordinating Council (CJCC) Accountability Court Operating Grant for each of the Coweta County Accountability Courts and to approve the related matching funds:

- Drug Court (including Veteran and Mental Health track): \$424,725; match \$75,951 (from participant fees)
- DUI Court: \$182,914; match \$32,279 (from participant fees)

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

13. 14312 Request from Main Street Newnan to Utilize County Sidewalks and Right-of-Way at the Historic Courthouse

The Board voted to approve a request from Main Street Newnan to utilize portions of the County's sidewalks and right-of-way at the Historic Courthouse for the following special events planned in 2024:

- Market Day - 1st Saturday of each month March thru December (10 a.m. - 2 p.m.)
- Spring Art Walk - March 22 (3 p.m. - 9 p.m.)
- Downtown Newnan Restaurant Week - April 14-20 (3 p.m. - 9 p.m.)
- Summer Wined Up - June 21 (5 p.m. - 9 p.m.)
- Fourth of July Parade - July 4 (9 a.m. - 12:00 p.m.)
- Fall Art Walk - September 20 (3 p.m. - 9 p.m.)
- Oktoberfest Craft Beer Tasting - October 4 (5 p.m. - 9 p.m.)
- Spirits & Spice Festival - October 19 (2 p.m. - 7 p.m.)
- Munchkin Masquerade - October 31 (10 a.m. - 12 p.m.)
- Holiday Sip-and-See - November 22 (5 p.m. - 9 p.m.)
- Santa on the Square - November 29 (5 p.m. - 9 p.m.)

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Al Smith, District 5
SECONDER: Bob Blackburn, District 3
AYES: Reidelbach, McKenzie, Poole, Blackburn, Smith

14. 14320 Request from the Town of Moreland for Assistance with Cleaning Ditches and Roadway Patching - District 2

The Board voted to provide labor and equipment to assist the Town of Moreland with patching of Railroad Street between Carroll Street and Harris Street and with cleaning ditches, limbs and debris in various areas along Main Street, East Camp Street, Church Street and Railroad Street.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Bill McKenzie, District 2 - Vice Chairman
SECONDER: Al Smith, District 5
AYES: Reidelbach, McKenzie, Poole, Blackburn, Smith

SUPPLEMENTAL AND/OR NON-AGENDA ITEMS

15. 14331 Request Approval/Execution of an Access and Hold Harmless Agreement with Magna International, Inc. - District 3

Administrator Fouts explained that staff has received a request from the Georgia Environmental Protection Division (EPD) and Magna International, Inc for permission to expand their ongoing remediation efforts related to groundwater impacts of the former Douglas and Lomason facility on State Highway 16. To comply with EPD's regulations, Magna's contractor, GHD, will install and monitor three (3) to five (5) soil vapor points (approximately 1-inch in diameter) on County property located at 50 Selt Road. Upon completion, the vapor points will be removed, and the ground will be backfilled to match the existing surface. During the testing, a ¼-inch diameter polyethylene tubing will protrude slightly above the ground surface and pose no risk to humans, animals, or the environment.

In response to a question from Commissioner Blackburn, Attorney Lee explained that generally indemnification is included in a hold harmless agreement.

The Board voted to execute an Access and Hold Harmless Agreement with Magna International, Inc to install and monitor three (3) to five (5) soil vapor points (approximately 1-inch in diameter) on County property located at 50 Selt Road associated with ongoing remediation efforts related to the former Douglas and Lomason facility that was located on State Highway 16, Newnan (Parcel # 062-5059-001).

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

PUBLIC COMMENT (Items Not on the Agenda) - This section is for any public comments regarding items NOT on the agenda. Each speaker will be respectfully heard by the Board without public display or approval/disapproval from the

audience. The Board will not engage with the speaker during his/her comments. The Board will listen to any questions or comments and take them into consideration.

Public Comments Regarding Items Not on the Agenda

Chairman Reidelbach called for comments regarding any items not on the agenda.

Mr. Darrell Hester, Gordon Road, Newnan addressed the Board regarding newly constructed warehouses near the area he lives that still have no tenants. He noted that there are numerous empty warehouses in various parts of the county and encouraged use of those facilities before any more are constructed.

Ms. Linda Menk, Avondale Circle, Newnan explained that another training session for hand-marked paper ballots on a paper ballot counter that was procured by another supporter of paper ballots was conducted in Newnan on February 10, 2024. Currently, approximately thirty-five (35) volunteers are willing to step forward and accurately hand count paper ballots. The participants that received training on February 10th, accurately hand-counted one (1) paper ballot every three (3) seconds. This will improve with even more training. In closing, she requested that the Board consider taking action to place hand marked, hand counted paper ballots in place for the 2024 election.

Mr. Mike Nixon, Lawn Market, Sharpsburg addressed the Board regarding anomalies in voter rolls in Coweta County including duplicates and voters that have moved out of state. State wide there are over 14,000 duplicate voters and hundreds of thousands who have moved out of state. According to the Secretary of State (SOS), it is the County's responsibility to clean up the voter rolls. He further expressed concerns regarding the Williamson error that was discovered last year in Tennessee where the scanners were undercounting votes. This particular evidence has been introduced into court. Sixty-six (66) out of sixty-eight (68) counties do show that these errors exist and he has found that 60% of the Coweta County precincts show this error at the scanner level and the only way to rectify this is to hand count the paper ballots that are generated by the Dominion machines.

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

Motion To: **Enter Into Executive Session**

The Board voted to enter into Executive Session for the purposes of discussing real estate, personnel and litigation issues.

Members in attendance included Chairman Reidelbach, Commissioner Poole, Commissioner Blackburn, Commissioner Smith, and Commissioner McKenzie. Staff members in attendance included Administrator Fouts, Assistant Administrator Mickle, Assistant Administrator Wisenbaker, County Attorney Lee, and County Clerk Zerangue.

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

REGULAR SESSION

Motion To: **Return to Regular Session**

The Board discussed real estate, personnel and litigation issues during Executive Session and voted to return to Regular Session.

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

AFFIDAVIT

Motion To: **Execute Affidavit and Resolution for Executive**

The Board voted to execute an Affidavit and Resolution for Executive Session.

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

ADJOURNMENT

Motion To: **Adjourn**

The Board voted to adjourn the meeting.

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