



# 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, January 23, 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 |         |
| Kelly Mickle     | Assistant Administrator    | Present |         |
| Eddie Whitlock   | Associate Administrator    | Absent  |         |
| Sandy Wisenbaker | Assistant Administrator    | Present |         |
| Tod Handley      | Public Works Administrator | Present |         |
| Nathan Lee       | County Attorney            | Present |         |
| Fran Collins     | Deputy County Clerk        | Present |         |

The Honorable Board of Commissioners of Coweta County, Georgia met in Public Hearing/Regular Meeting Session on Tuesday, January 23, 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 09, 2024

The Board voted to approve the minutes from the Public Hearing/Regular Meeting Session on January 9, 2023.

**RESULT:**       **APPROVED [UNANIMOUS]**  
**MOVER:**       Paul Poole, District 1  
**SECONDER:**   Al Smith, District 5  
**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:**       Paul Poole, District 1  
**SECONDER:**   Al Smith, District 5  
**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:     **14273 : REZ 23-12 Heirloom Homestead - Rezoning RC to C-6 (Minor Shopping) & C-9 (Commercial Amusement)**

Zoning Coordinator Lisa Eschman presented Petition # REZ 23-12 filed by Heirloom Homestead, LLC requesting to rezone property located at 5439 Lower Fayetteville Road, Sharpsburg (Parcels # 146-6132-016; # 146-6132-017; # 146-6132-018; and # 146-6132-019) from *RC (Rural Conservation)* to *C-6 (Commercial Minor)* and *C-9 (Commercial Amusement)*. She explained that the subject property is four (4) individual tracts consisting of 24.45± acres containing an established home site and several barns. She briefly reviewed current zoning of properties in the surrounding area and explained that the applicant is requesting two (2) zoning districts. The proposed *C-6 (Commercial Minor Shopping)* located on the eastern side of the property will consist of 13.282± acres and offer a mixture of commercial uses including office, retail, and restaurants. The site plan incorporates a total of five (5) buildings dispersed throughout the proposed *C-6 (Commercial Minor)* zoning district including "Building 100" measuring 10,000 square feet, "Building 200" measuring 7,500 square feet, "Building 300" measuring 4,000 square feet, and "Building 400" measuring 20,000 square feet and all are speculative without a specific vendor. The proposed *C-9 (Commercial Amusement)* zoning district will consist of 11.0± acres with "Building 500" measuring 30,000 square feet that will be utilized for the indoor entertainment venue with an outdoor miniature golf area located to the rear of the building. The site plan reflects four access points with one (1) full access and two (2) right-in/right-out driveways shown along Lower Fayetteville Road. A third right-in/right-out driveway is shown along Fischer Road. She highlighted the factors reviewed by staff during the rezoning process and presented sixteen (16) conditions for consideration by the Board should they choose to approve the request. In closing, she notified the Board and all in attendance that the Zoning Division received a revised site plan via email on January 22, 2024 (one day prior to the meeting) which has not been reviewed and is not included in staff's presentation. The original zoning application submitted by the applicant on July 21, 2023 was presented.

In response to a question from Commissioner Smith, Ms. Eschman explained that Community Development staff did not review the revised site plan nor was it considered when making the suggested conditions for rezoning.

Administrator Fouts explained that although another version of the site plan was

submitted, all of the conditions and review by staff are based on the site plan that was submitted with the initial application.

In response to a question from Chairman Reidelbach, Administrator Fouts and Ms. Eschman explained that any recommended conditions of zoning could change after staff review of the revised site plan.

Commissioner Poole explained that the public has not been made aware of the changes made on the revised site plan.

In response to a question from Commissioner Smith, Attorney Lee explained that it is the Board's discretion whether or not they wish to consider the revised site plan, but that staff has not reviewed it. The Board has rules in place to give staff adequate time to review plans and in turn provide an analysis to the Board. If the Board wishes to consider the revised site plan, legally they can, but there is no obligation to do so. Also, in consideration of fairness to the public he recommended that the Board exercise their discretion and base their decision upon the application as presented by staff in accordance with the County's ordinances.

In response to a question from Commissioner Smith, Administrator Fouts explained that typically the Board requires prior notice of seven (7) days in order to notify the public and remove an item from the agenda. At this point, the Board historically has proceeded with the Public Hearing.

Attorney Lee explained that staff has not received a request from the applicant to remove the issue from the agenda and they are entitled to the Public Hearing if they want to proceed.

In response to questions from Chairman Reidelbach, Public Works Administrator Tod Handley explained that traffic signal timing was not considered as part of the traffic study but the study does take into account all of the developments around the intersection including Fischer Road (across from Fischer Marketplace) and this development. When the development is built, it will create traffic signal timing issues.

In response to questions from the Board, Public Works Administrator Handley explained that when Fischer Marketplace was constructed, the access to Lower Fayetteville Road was prohibited beyond the intersection that has been reconstructed to protect the residential property that is now up for rezoning and development.

Administrator Fouts explained that the limited access to Lower Fayetteville is a condition of zoning which would require the applicant come back before the Board to request additional access to Lower Fayetteville Road.

In response to questions from the Board, Attorney Lee explained that staff is making the Board aware that the applicant submitted a new site plan yesterday (January 23, 2024) which is substantially different from the original plan and which they did not accept. If the rezoning is approved by the Board as presented by staff, then the applicant will have to follow the original site plan.

Administrator Fouts explained that Ms. Eschman's intent is to make the Board aware that the applicant submitted a revised site plan. Staff has not had time to review it for issues because there wasn't an appropriate amount of time to do so.

Mr. Neal Spradlin, applicant representative, explained that the applicants (Ryan Huber and Justin Gibson) are present, submitted a revised site plan, and do not wish to withdraw the rezoning request. He explained that conceptual site plans can change, and the revised site plan does not change the scope of the project. The applicants removed three (3) small buildings on the east side and added that square footage to the long rectangular shaped building with the addition of a second story. The intent was to add more greenspace, to allow better flow of

traffic in the parking lot area, to provide better ingress/egress, to meet recommendations from the traffic engineer, and to allow for better movement of emergency vehicles around the site. He further explained that the project is located at a signalized intersection of two (2) county roads that are classified as minor arterial. There is heavy existing traffic on Lower Fayetteville Road and Fischer Road, the intersection is located only 600-feet from the intersection of Hwy 34 and Fischer Road and is directly across from Fischer Marketplace (a booming commercial development). The site also has some environmental issues, including a farm pond fed by an intermittent stream that flows out to Shoal Creek, which is in a water protection district. The county's watershed protection ordinance requires a 100-foot undisturbed buffer and a 150-foot impervious setback, which the site plan exceeds. The site is designed in accordance with the traffic engineer's recommendations regarding locations of driveways, deceleration lanes, left turn lanes, etc. In closing, he explained that if approved, the applicants do not object to any of the conditions proposed by staff with the exception of updating Conditions # 1 and # 15. Condition # 1 is associated with the site plan dated 07/14/2023 and the applicants would like to have this condition updated with the revised site plan. Condition # 15 requires that a Land Disturbance Permit (LDP) be obtained within a 12-month period following approval by the Board. He explained that the project is complex and based on his experience, 12-months would not allow enough time. However, substantial progress could be made during the 12-month period, and the applicants could return with a request for a time extension.

In response to questions from Commissioner Smith, Ms. Eschman explained that the conceptual site plan could change again. Other than the Heirloom Bakery and a boutique bowling alley, the plan for this site is very speculative. Therefore, it was difficult for staff to conditionally zone the property for a specific use, but they have attempted to keep the applicant in line with the permitted uses and conditioned the rezoning based upon the original site plan (see Condition # 1).

She further explained that as long as the applicant meets all of the other conditions of zoning as approved by the Board of Commissioners, there is some room for minor adjustments once the conceptual site plan goes through Development Review to ensure compliance with the *Code of Ordinances*. The revised site plan was received on Monday, January 22, 2024 and staff performed a quick cursory review to determine if the scope of the project had changed and noted (from a Zoning Division perspective) that the revised site plan shows a proposed two (2) story building consisting of 50,000 square feet which is not allowed in a C-6 (*Commercial Minor*) zoning district. The maximum allowable is 35,000 square feet for one (1) single enterprise so the applicant would have to request the next level of C-7 (*Commercial Major Shopping District*).

In response to a question from Chairman Reidelbach, Public Works Administrator Handley explained that a change to C-7 (*Commercial Major Shopping District*) could change some of the trip generation numbers in the traffic study.

Commissioner Smith questioned whether the Board consider conceptual site plans at all since applicants are not held to conceptual site plans.

Attorney Lee explained that should the Board approve the rezoning they can make the site plan a condition.

Chairman Reidelbach explained that the revised site plan deviates from the C-6 (*Commercial Minor*) zoning district ordinance.

Commissioner McKenzie explained that the revised site plan has not been reviewed by staff.

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

- Mr. Ryan Huber, Red Oak Trail, Sharpsburg (co-applicant), apologized for the

confusion created by the revised site plan, explained it was only meant as a visual aid, and he didn't realize the 50,000 square foot building would require the higher-level C-7 (*Commercial Major Shopping District*) zoning district. He explained that they do not wish to delay the rezoning and the revised site plan can be withdrawn from consideration by the Board. He believes that the revised site plan is a better plan, and they would have preferred to proceed with it because it increases greenspace and is less cost prohibitive for them because of the costs associated with meeting the *Quality Development Corridor District (QDCD)* requirements. He clarified that the building located in the C-9 (*Commercial Amusement*) zoning district is not a bowling alley, but incorporates a bowling element inside, along with possible sports simulators and a small arcade.

- Mr. Jake Mullins, Delta Court, Sharpsburg, explained that the subject property will eventually transition to a commercial use and the questioned who and what will be located onsite. The project is being backed by local entrepreneurs, the applicants are showing reverence to the horse farm, the site will provide for family entertainment, and that the Heirloom Bakery was amazing before it was destroyed by fire.
- Mr. Justin Gibson, Meadow Way, Sharpsburg (co-applicant and owner of Heirloom Bakery), explained that they wish to help protect the area by rebuilding their business at this location. The property will be developed at some point and their desire is to give the community a place for family entertainment, to preserve greenspace and protect the environment, and to honor neighboring communities.
- Ms. Kelly Mullins, Delta Court, Sharpsburg, expressed support for the proposed rezoning explaining that Heirloom Bakery greatly improved the area when they moved into their prior location. The proposal supports the local community and vendors and will provide a family friendly venue in this location.
- Mr. Phillip Hensil, Clearwater Road, Sharpsburg, expressed support for the proposed rezoning. He explained that the property will eventually go commercial, the site plans present a well thought out transition from rural conservation, the property has been for sale for a very long time, and there has not been a demand for another horse farm.
- Mr. Mike Gibson, Timberview Circle, Sharpsburg (co-applicant's father), expressed support for the proposed rezoning explaining that he would rather see a local businessman who was raised in the community than an outside developer come in. Heirloom Bakery provided service for fifty-five (55) other local vendors in their previous location and would do so in this location.
- Mr. Dave Hoffman, Spring Forest Way, Sharpsburg, expressed support for the proposed rezoning citing Heirloom Bakery's track record in supporting the community, and the opportunity to have a family entertainment venue.
- Ms. Natalie Bacho, Durham Estates, Sharpsburg (employee of Heirloom Market), expressed support for the proposed rezoning citing Mr. Gibson's support of and enrichment to the local community.

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

The following citizens spoke in opposition to the proposed rezoning citing concerns with commercialization on this corner of Lower Fayetteville Road, the need for retiming of traffic signalization at Fischer Road and Lower Fayetteville Road, increased traffic, the two-story building is substantially different than originally proposed, existing congestion in the area, protection of horse farms and rural areas nearby, decreased property values, the intense use of C-9 (*Commercial Amusement*) runs counter to the Coweta County's Comprehensive plan, the associated buffer reduction variance does not guarantee that the adjoining property owner will keep the trees in the future, too many parking spots on original site plan

(no number given on the revised site plan), late night hours of operation of the family entertainment center, the agreement for no ingress/egress off Lower Fayetteville Road, protection of residents in the area, loss of the original existing historic farm house, impact from the current Fischer Marketplace development, and that the project does not fit in with the residential area:

- Mr. Clark Verbockel, Deerwood Trail, Sharpsburg
- Ms. Linda Menk, Avondale Circle, Newnan
- Mr. Andy Powell, Lower Fayetteville Road, Sharpsburg
- Ms. Allison Powell, Lower Fayetteville Road, Sharpsburg
- Mr. Robert Reeder, Meadow Way, Sharpsburg
- Mr. Michael Miller, Bob Smith Road, Sharpsburg, (also requested that the Board defer a decision regarding the rezoning request because of the conflicting site plans and confusion)
- Ms. Lisa Vandiver, Lower Fayetteville Road, Sharpsburg

The Board voted to close the Public Hearing regarding Petition # REZ 23-12 filed by Heirloom Homestead, LLC requesting to rezone property located at 5439 Lower Fayetteville Road, Sharpsburg (Parcels # 146-6132-016; # 146-6132-017; # 146-6132-018; and # 146-6132-019) from RC (*Rural Conservation*) to C-6 (*Commercial Minor*) and C-9 (*Commercial Amusement*).

|                  |                                               |
|------------------|-----------------------------------------------|
| <b>RESULT:</b>   | <b>PUBLIC HEARING CLOSED [UNANIMOUS]</b>      |
| <b>MOVER:</b>    | Bob Blackburn, District 3                     |
| <b>SECONDER:</b> | Bill McKenzie, District 2 - Vice Chairman     |
| <b>AYES:</b>     | Reidelbach, McKenzie, Poole, Blackburn, Smith |

**14273 Public Hearing Regarding Petition # REZ 23-12 Filed by Heirloom Homestead Requesting to Rezone Property Located at 5439 Lower Fayetteville Road, Sharpsburg**

The Board voted to deny Petition # REZ 23-12 filed by Heirloom Homestead, LLC, requesting to rezone 13.282± acres located at 5439 Lower Fayetteville Road, Sharpsburg (Parcels # 146-6132-016; # 146-6132-017; # 146-6132-018; and # 146-6132-019) from RC (*Rural Conservation*) to C-6 (*Commercial Minor*) and C-9 (*Commercial Amusement*).

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

3. Motion To: **14271 : REZ 23-16 BRC Storage - Rezoning LM w/Conditions to LM**

Zoning Coordinator Eschman presented Petition # REZ 23-16 filed by BRC Storage requesting to rezone property located on Hwy 16 East, Newnan (Parcel # 100-2061-012) from LM (*Light Industrial*) w/conditions to LM (*Light Industrial*). She explained that the subject property consists of 3.80± acres originally rezoned on August 15, 2006, under previous Petition # 009-06 for an auto restoration and repair shop, subject to eight (8) conditions. The applicant is now proposing a self-storage facility, and the proposed conceptual plan includes a total of three (3) self-storage buildings dispersed throughout the site developed in phases. "Phase 1" will consist of a self-storage building measuring 9,600 square feet centrally located within the site and "Phase 2" will consist of two (2) future buildings measuring

approximately 8,000 square feet located along the western property line with access into the development located off RV Drive. According to *Article 25, Section 251* of the *Coweta County Zoning and Development Ordinance*, buffers are required where industrial land uses are contiguous with single-family residential and manufactured home park land uses. A 100-foot buffer is required along the *RC (Rural Conservation)* zoning district and a 25-foot buffer is required along the *MHP (Manufactured Home Park)* zoning district. Because of the 100-foot buffer requirement against the *RC (Rural Conservation)* zoning district, the applicant has filed a concurrent variance application under Petition # VAR 23-28 requesting a 75-foot buffer reduction (from 100-feet to 25-feet). The proposed 75-foot buffer reduction only applies to an approximate area of 115-feet along the western property line. In closing, she reviewed current zoning of properties in the surrounding area, highlighted the factors reviewed by staff during the rezoning process, and presented five (5) conditions for consideration by the Board should they chose to approve the request.

Ms. Eschman fielded questions from the Board regarding the property's proximity to I-85 and to the adjacent Coweta Hills Community (a manufactured home park).

Mr. Neal Spradlin, applicant representative, explained that the property has been zoned *LM (Light Industrial)* for several years and the only change is from an auto restoration and repair shop to a self-storage facility. The project will be constructed in two (2) phases and access to the site is from RV Drive. In addition, he explained that the applicant has filed a buffer reduction variance (Petition # VAR 23-28) requesting a 75-foot buffer reduction (from 100-feet to 25-feet) for an area measuring approximately 115-feet along the western property line.

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

The Board voted to close the Public Hearing regarding Petition # REZ 23-16 filed by BRC Storage requesting to rezone 3.80± acres located on Hwy 16 East, Newnan (Parcel # 100-2061-012) from *LM (Light Industrial)* w/conditions to *LM (Light Industrial)* for a self-storage facility.

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

**14271 Public Hearing Regarding Petition # REZ 23-16 Filed by BRC Storage Requesting to Rezone Property Located off Hwy 16 East, Newnan**

The Board voted to rezone 3.80± acres located on Hwy 16 East, Newnan (Parcel # 100-2061-012) from *LM (Light Industrial)* w/conditions to *LM (Light Industrial)* as requested in Petition # REZ 23-16 filed by BRC Storage. subject to the following conditions:

1. The property shall be utilized as a self-storage facility.
2. All Coweta County Code of Ordinances shall be adhered to unless a variance is granted through the normal review process.
3. The permit applicant shall be responsible for storm water management meeting the requirements of Chapter 30 of the *Coweta County Code of Ordinances* and specifically providing the required runoff reduction practices upgradient from the detention/retention ponding to help avoid maintenance concerns and provide a treatment train approach as intended by the ordinance.

4. The applicant shall obtain 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 initiate rezoning of the property.
5. Any lighting installed shall incorporate full cutoff fixtures to preclude glare onto or direct illumination of adjacent properties and streets.

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

## REGULAR SESSION

### PUBLIC COMMENT (Items on the Agenda)

#### Public Comments Regarding Items On the Agenda

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

Note: For ease of transcription, the speakers below are not in order of appearance, but in order of topic.

The following citizens spoke in opposition to Petition # VAR 23-31 filed by Todd Freeman Builders, LLC and Edwin and Edith Byars requesting front yard setback variances for Lot # 1 (7.289± acres) and Lot # 8 (6.826± acres) located in Bears Bend Subdivision, Moreland (agenda item # 6) citing concerns with upholding established front yard setback guidelines for *RC (Rural Conservation)* zoned properties as listed in the County's Comprehensive Plan, design of the lot layout is an issue created by the applicant and his engineer (Mr. George Harper), loss of aesthetics and rural character on Bear Creek Road, negative impact to quality of life, and maintaining setbacks and adherence to setbacks for all developments on Bear Creek Road. In addition, the applicant has not followed the rules set forth by the County, has cleared an area of 100-feet and bulldozed the lot, and approval of the variance will set a precedent for the area:

- Mr. Brian Leinbach, Fincher Road, Moreland
- Mr. Andrew Conaway, Fincher Road, Moreland
- Mr. Phil Town, Bear Creek Road, Moreland
- Ms. Melissa Town, Bear Creek Road, Moreland
- Mr. William Hyde, Bear Creek Road, Moreland

Ms. Melissa Griffis, applicant representative, spoke in support of Petition # VAR 23-31 filed by Todd Freeman Builders, LLC and Edwin and Edith Byars requesting front yard setback variances for Lot # 1 (7.289± acres) and Lot # 8 (6.826± acres) located in Bears Bend Subdivision, Moreland (agenda item # 6). She explained that the original request was for front setback variances for Lot # 1 and Lot # 8; however, the new owners of Lot # 1 (Mr. and Mrs. Byars) sent a letter today requesting to withdraw their variance request from consideration. Petition # VAR 23-31 is now only for Lot # 8. The applicant is requesting a 150-foot front yard setback reduction (from 300-feet to 150-feet) which will not change the rural setting of the lot and will not even be detectable from Bear Creek Road. Fourteen (14) lots in the subdivision were originally approved but based on the width and topography of Lot # 8, placement of a home will be in the front yard of the neighboring property if a variance is not granted. She explained that three (3) neighbors filed letters of support and that the Board has previously granted similar requests for other subdivisions, including Dunaway Gardens. The developer met with property owners following the Board of Zoning Appeals hearing and has offered to remove street lights at the entrance to the subdivision within thirty (30) days. Should the variance request be granted by the Board, street lights on the easement drive will have new bulbs with a down-light feature, Leland Cypress trees will be added along the existing drive to service Lot # 8, and two (2) brick monuments signs will be erected at each entrance (following approval by the Coweta County Community Development Department). Lastly, she explained



that Mr. George Harper (applicant's engineer) is present to field any questions from the Board.

Mr. George Rosenzweig, applicant representative, spoke in support of Petition # REZ 22-05 filed by Habiba Investments, LLC requesting a time extension to obtain a building permit (see previous Petition # REZ 22-05) for property located at 869 Poplar Road, Newnan (agenda item # 7). He explained that the applicant closed on the property, plans for a Land Disturbance Permit (LDP) were submitted and approved, and quotes were received for the required transportation improvements. Because estimates are \$1 million over his original budget, he approached his bank for additional financing. The bank raised a question regarding the feasibility of the project with only a Popeyes franchise onsite. The applicant then pursued a Tim Horton's restaurant in addition to the Popeyes. In August, the applicant met with Commissioner McKenzie and County staff to discuss challenges of the development on Poplar Road including future GDOT widening, median breaks, potential development of surrounding property, desirability of one (1) entrance versus multiple entrances, etc. The applicant drafted a new site plan, requested a pre-submittal meeting and at that time was notified that a building permit had to be issued within a 12-month period and that time had passed. The applicant is requesting a 12-month time extension in order to obtain the building permit.

Mr. Abid Khutliwala, applicant, spoke in support of Petition # REZ 22-05 filed by Habiba Investments, LLC) requesting a time extension to obtain a building permit (see previous Petition # REZ 22-05) for property located at 869 Poplar Road, Newnan (agenda item # 7). He explained that plans were submitted and approved for the development, but transportation improvements by the County increased costs and financing could not be obtained for the project with just a Popeyes franchise. The property measures 1.8± acres and can sustain the second project (a Tim Horton's Canadian coffee chain), but a time extension is necessary to get the project moving forward. Lastly, in order to keep the bank's original interest rate the project must be started by September 2024, which he intends to do.

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

### 4. 14226 Recommend Approval of Petition # VAR 23-22 Filed by Heirloom Homestead, LLC Requesting a Buffer Variance for Property Located at 5439 Lower Fayetteville Road, Sharpsburg

The Board voted to deny Petition # VAR 23-22 filed by Heirloom Homestead, LLC requesting a buffer reduction (from 200-feet to 50-feet) for property located at 5439 Lower Fayetteville Road, Sharpsburg (Parcels # 146-6132-019; # 146-6132-018; # 146-132-017 and # 146-6132-016).

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| <b>RESULT:</b>   | <b>DENIED [UNANIMOUS]</b>                     |
| <b>MOVER:</b>    | John Reidelbach, District 4 - Chairman        |
| <b>SECONDER:</b> | Al Smith, District 5                          |
| <b>AYES:</b>     | Reidelbach, McKenzie, Poole, Blackburn, Smith |

### 5. 14227 Recommend Approval of Petition # VAR 23-28 Filed by BRC Storage Requesting a Buffer Variance for Property Located off Hwy 16 East Between E Willow Drive and RV Drive, Newnan

Zoning Coordinator Eschman presented Petition # VAR 23-28 filed by BRC Storage requesting a buffer variance for property located off Hwy 16 East between E Willow Drive and RV Drive, Newnan (Parcel # 100-2061-012) along with a recommendation of approval from the Board of Zoning Appeals. She explained that because a 100-foot buffer is required against *RC (Rural Conservation)* zoning districts, the applicant is requesting a 75-foot buffer reduction (from 100-feet to 25-feet) in an area measuring 115-feet along the western property line for construction of a self-storage facility.

The Board voted to grant a 75-foot buffer reduction (from 100-feet to 25-feet) in an area measuring 115-feet along the western property line of

property located off Hwy 16 East between E Willow Drive and RV Drive, Newnan (Parcel # 100-2061-012) as requested in Petition # VAR 23-28 filed by BRC Storage, subject to the following conditions:

1. As proffered by the applicant, a six (6) feet privacy fence shall be installed along the entire western property boundary line that abuts the Coweta Hills Community. The privacy fence is to stay in good working order and be replaced by the property owner when it becomes damaged or at the County's discretion.
2. A 25-feet buffer shall be planted along the installed six (6) feet privacy fence and shall extend the entire length of the western property line. A landscape plan shall be submitted and approved by the Community Development Department prior to installation of any buffer plantings.

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

**6. 14228 Recommend Denial of Petition # VAR 23-31 Filed by Todd Freeman Builders, LLC and Edwin and Edith Byars Requesting Front Yard Setback Variances for Lot # 1 and Lot # 8 Located in Bears Bend Subdivision, Moreland**

Zoning Coordinator Eschman presented Petition # VAR 23-31 filed by Todd Freeman Builders, LLC and Edwin and Edith Byars requesting front yard setback variances for Lot # 1 (7.289± acres) and Lot # 8 (6.826± acres) located in Bears Bend Subdivision, Moreland (Parcels # 128-1070-001 and 128-1070-010) along with a recommendation of denial from the Board of Zoning Appeals. She explained a request to withdraw Lot # 1 from consideration was received after the application was heard at the Public Hearing conducted by the Board of Zoning Appeals. Lot # 8 is currently zoned *RC (Rural Conservation)* and will be developed under the *EL-A (Estate Lot Averaging)* development type. The intent of *EL-A (Estate Lot Averaging)* development type is to allow for single-family residential developments to have a conventional lot layout with varying lot sizes and substantial front setback requirements. The substantial front setback is to preserve the rural aesthetic along the county roadways. The *EL-A (Estate Lot Averaging)* development requires a minimum front setback of 300-feet along the right-of-way, and the applicant is requesting a 150-foot front yard setback reduction (from 300-feet to 150-feet) along Bear Creek Road.

In response to questions from the Commissioner McKenzie, Ms. Eschman explained that there is not an existing hardship related to the variance request.

The Board voted to deny Petition # VAR 23-31 as filed by Todd Freeman Builders, LLC and Edwin and Edith Byars requesting front yard setback variances for Lot # 1 and Lot # 8 located in Bears Bend Subdivision, Moreland (Parcels # 128-1070-001 and # 128-1070-010).

|                  |                                               |
|------------------|-----------------------------------------------|
| <b>RESULT:</b>   | <b>DENIED [UNANIMOUS]</b>                     |
| <b>MOVER:</b>    | Bill McKenzie, District 2 - Vice Chairman     |
| <b>SECONDER:</b> | John Reidelbach, District 4 - Chairman        |
| <b>AYES:</b>     | Reidelbach, McKenzie, Poole, Blackburn, Smith |

7. 14278 Request Direction Regarding Condition # 5 Associated with Previous Petition # REZ 22-05 Filed by Habiba Investments, LLC for Property Located at 869 Poplar Road, Newnan - District 2

Zoning Coordinator Eschman explained that at the Commission meeting held on May 17, 2022, the Board voted to rezone 1.42± acres located at 869 Poplar Road, Newnan (Parcel # 099-2004-094 partial) from *C-4 (Commercial Service District)* to *C-3 (Commercial Retail District)* as requested in Petition # REZ 22-05 filed by Habiba Investments, LLC, subject to eleven (11) conditions. Condition # 5 required that a building permit be obtained within a 12-month period and as of January 23, 2024, a building permit has not been issued. Subsequently, staff is requesting direction from the Board. If an extension is approved, staff is recommending that the Board set a Public Hearing on January 23, 2025 regarding possible rezoning of the property.

In response to questions from the Board, Ms. Eschman explained that initially the 12-month condition for zoning petitions was tied to a building permit, but now staff recommends that it be triggered by a Land Disturbance Permit (LDP). She further explained that the applicant has applied for an LDP but has not taken any action on it.

The Board voted to set a Public Hearing on January 23, 2025 at 6:00 p.m. regarding possible rezoning of 1.42± acres located at 869 Poplar Road, Newnan (Parcel # 099-2004-094 partial) from *C-3 (Commercial Retail District)* back to *C-4 (Commercial Service District)* thereby granting the applicant (Habiba Investments, LLC) a twelve-month extension to obtain a building permit (see Condition # 5 of previous Petition # REZ 22-05).

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

8. 14145 Request to Cancel Public Hearing Regarding Previous Petition # REZ 22-25 Filed by Mark Woods and C. Harris Holdings, LLC (Harris MHP Revitalization) Associated with Condition # 10 - District 2

Zoning Coordinator Eschman explained that at the Commission meeting held on October 4, 2022, the Board voted to rezone 37.16± acres located off Sweeper Smith Road, Clemit Harris Road, and Welcome to Arnco Road, Newnan (Parcels # 047-5096-006, # 047A-102A, # 047A-110) from *RC (Rural Conservation)* to *RC-SUP (Rural Conservation with Special Use Permit)* as requested in REZ 22-25 filed by Mark Woods and C. Harris Holdings, LLC (Harris MHP Revitalization), subject to ten (10) conditions. Condition # 10 required that the applicant obtain a Land Disturbance Permit (LDP) within a 12-month period following approval by the Board. At the Commission meeting held on October 3, 2023, the Board voted to set a Public Hearing on the second meeting in February 2024 (February 27, 2024) regarding possible rezoning of the subject property from *RC-SUP (Rural Conservation with Special Use Permit)* back to *RC (Rural Conservation)* following a request from C. Harris Holdings, LLC (Harris MHP Revitalization) for an extension to obtain the Land Disturbance Permit (LDP). Community Development staff has confirmed that C. Harris Holdings, LLC (Harris MHP Revitalization) was issued an LDP on November 13, 2023 and therefore, a Public Hearing is no longer needed.

The Board voted to cancel the Public Hearing scheduled on February 27, 2024 at 6:00 p.m. regarding possible rezoning of 37.16± acres located off Sweeper Smith Road, Clemit Harris Road, and Welcome to Arnco Road, Newnan (Parcels # 047-5096-006, # 047A-102A, # 047A-110) from *RC-SUP (Rural Conservation with Special Use Permit)* back to *RC (Rural Conservation)* [See October 3, 2023 minutes].

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

9. 14144 Request to Cancel Public Hearing Regarding Previous Petition # REZ 22-23 Filed by JBE Realty Holdings, LLC (dba Jim Ellis Automotive Group) for Property Located at Doc Turner Way, Newnan - District 2

Zoning Coordinator Eschman explained that at the Commission meeting held on October 4, 2022, the Board voted to rezone 7.62± acres located at 154, 156, and 162 Doc Turner Way, Newnan (Parcels # 087B-016, # 087B-016A, and # 087B-016B) from *RC (Rural Conservation)* to *C-8 (Heavy Commercial District)* as requested in Petition # REZ 22-23, subject to eleven (11) conditions. Condition # 11 required the applicant to obtain a Land Disturbance Permit (LDP) within a 12-month period following approval by the Board. At the Commission meeting held on October 3, 2023, the Board voted to set a Public Hearing on the second meeting in February 2024 (February 27, 2024) regarding possible rezoning of the subject property from *C-8 (Heavy Commercial District)* back to *RC (Rural Conservation)* following a request from Jim Ellis Automotive for an extension to obtain the Land Disturbance Permit (LDP). Community Development staff has confirmed that Jim Ellis Automotive was issued an LDP on October 18, 2023, and therefore, a Public Hearing is no longer needed.

The Board voted to cancel the Public Hearing scheduled on February 27, 2024 at 6:00 p.m. regarding possible rezoning of 7.62± acres located at 154, 156, and 162 Doc Turner Way, Newnan (Parcels # 087B-016, # 087B-016A, and # 087B-016B) from *C-8 (Heavy Commercial District)* back to *RC (Rural Conservation)* [See October 3, 2023 minutes].

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

10. 14252 Request Acceptance of Roadways and Execution of a Deed of Open Space Restriction Associated with Property Located in Belle Hall Subdivision - District 2

Administrator Fouts explained that Belle Hall Subdivision has submitted a Deed of Open Space Restriction that reflects 38.05± acres as shown on the final plat of Belle Hall Subdivision for acceptance by the Board. In addition, the grading, storm drainage, curb and gutter and base have been completed for Belle Hall Drive (1,790 LF), Mossy Oak Court (382 LF), and Tea House Lane (876 LF) in accordance with Coweta County's regulations. He further explained that the developer has posted a performance bond in the amount of \$144,231.00 as surety for the asphalt topping and a maintenance bond in the amount of \$51,330.00 to cover any defects in materials or workmanship that occur within three (3) years of acceptance. In closing, he explained that the County Attorney has reviewed the attached documents prior to submittal to the Board of Commissioners.

The Board voted to execute a Deed of Open Space restriction associated with Belle Hall Subdivision, to accept Belle Hall Drive (1,790 LF), Mossy Oak Court (382 LF), and Tea House Lane (876 LF), drainage structures and right-of-way into the Coweta County Public Roads System, and to place the constructed improvements into a three (3) year maintenance period.

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

## UNFINISHED BUSINESS

### 11. 14287 Appointment by the Chairman

The Board voted to appoint Chairman Reidelbach to serve as a member of the Three Rivers Regional Commission (TRRC) for calendar year 2024.

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

### 12. 14283 Request Appointments to Various Boards/Authorities

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

- Reappoint Commissioner Paul Poole to serve as Chairman and voting member of the Coweta County Transit Technical Coordinating Committee (TTCC) for the term beginning January 1, 2024 and expiring December 31, 2025
- Appoint Director of Transportation Planning Sid Bedenbaugh as a voting member of the Coweta County Transit Technical Coordinating Committee (TTCC) for the term beginning January 1, 2024 and expiring December 31, 2025
- Reappoint Grants Manager Charlyn Shepherd as a voting member of the Coweta County Transit Technical Coordinating Committee (TTCC) for the term beginning January 1, 2024 and expiring December 31, 2025
- Reappoint Communications Manager Cathy Wickey as a voting member of the Coweta County Transit Technical Coordinating Committee (TTCC) for the term beginning January 1, 2024 and expiring December 31, 2025
- Reappoint Mr. Tommy Kennedy 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
- Appoint Mr. Harvey Smith from the Georgia Department of Transportation's Transit Division 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
- Reappoint Ms. Sandra Strozier to serve as the representative from the Housing Authority of Newnan for the Transit Citizen Advisory Committee (CAC) for the term beginning January 1, 2024 and expiring December 31, 2025
- Reappoint Ms. Leila Heptinstall to serve as the representative from senior services for the Transit Citizen Advisory Committee (CAC) for the term beginning January 1, 2024 and expiring December 31, 2025
- Reappoint Ms. Pam Gabel to serve as the representative from a nonprofit organization for the Transit Citizen Advisory Committee (CAC) for the term beginning January 1, 2024 and expiring December 31, 2025

- Reappoint Mr. Chris Cole to serve as the representative from a municipality for the Transit Citizen Advisory Committee (CAC) for the term beginning January 1, 2024 and expiring December 31, 2025
- Reappoint Ms. Mildred Buford to serve as the transit program user representative for the Transit Citizen Advisory Committee (CAC) for the term beginning January 1, 2024 and expiring December 31, 2025

|                  |                                               |
|------------------|-----------------------------------------------|
| <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, McKenzie, Poole, Blackburn, Smith |

## NEW BUSINESS

### Bids and Contracts

13. 14289 Request Approval/Execution of a Consultant Agreement for Estimation of Professional Services for Poplar Road Projects (RB23.17/RB24.1) - Districts 1, 2 and 5

Administrator Fouts explained that staff has proceeded in the required procurement process for engineering services for two (2) projects on Poplar Road. The first project (RB23.17/PI 0019635) widens Poplar Road from the west side of Newnan Crossing Boulevard to east of Yeager Road. The second project (RB24.1/PI 0019784) improves the intersection of Poplar Road with SR 16 and the approaches to that intersection. The Georgia Department of Transportation's Plan Development Process (GDOT PDP) requires the County to have an independent cost estimate for engineering services prior to entering into the negotiation phase with the most qualified firm chosen by the selection committee. Staff contacted Pond and Company to provide a proposal for the required independent cost estimate for both projects. Pond and Company completed the scoping study for Poplar Road in 2021 and is familiar with the corridor and the GDOT PDP process. Pond and Company provided a price not to exceed \$20,000 to provide estimations for both projects. The cost for these estimates will be divided equally between both projects.

The Board voted to execute an agreement with Pond and Company to provide independent cost estimation of engineering services associated with Poplar Road projects (RB23.17/PI 0019635 and RB24.1/PI 0019784) for an amount not to exceed \$20,000.

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

14. 14280 Bid Award Associated with Roadside Tree Pruning (Project # 2024 RST)

The Board voted to retain Tree Works, LLC on a lowest and best bid basis to perform roadside tree pruning and clean up (Alternate A) for a total cost of \$99,138.35 (Project # 2024 RST).

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

15. 14299 Request to Reject All Bids Associated with Construction of the Senoia Fire Station and Re-Bid the Project - District 1

Administrator Fouts explained that Mr. Joe Gardner, principal architect from Gardner Spencer Smith Tench & Jarbeau (GSST&J), solicited proposals from ten (10) contractors for the construction of the Senoia Fire Station. Bids were received from Headley Construction, Diversified Construction of Georgia, and McLeRoy Construction. Staff met with Mr. Gardner and Headley Construction (the apparent low bidder) to review their proposal and identify any cost saving measures. Several items were identified as value engineering cost savings but the total project cost is still over the budgeted amount. Staff recommends that the Board reject current bids and re-bid the project because of extensive reengineering of the building design.

The Board voted to reject all bids received for construction of the Senoia Fire Station and to re-bid the project because of extensive reengineering associated with the cost saving measures (value engineering).

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

16. 14297 Request to Reject All Bids Received for Renovation of the 911 Center

Administrator Fouts explained that Mr. Joe Gardner, principal architect from Gardner Spencer Smith Tench & Jarbeau (GSST&J), solicited proposals from ten (10) general contractors for renovation of the 911 Center. Bids were received from Headley Construction and McElroy, Inc. Staff met with Mr. Gardner and Headley Construction (the apparent low bidder) to review their proposal and identify any cost saving measures. Cost saving measures identified included removal of the safe room and raised floors in the office space. Staff requested that Headley Construction value engineer (VE) the project to include ground level offices and the removal of the safe room. Headley Construction then submitted a VE proposal of \$361,637.00, which exceeds the Fiscal Year 2024 budgeted amount of \$250,000 for the project.

In response to a question from Commissioner Poole, Administrator Fouts explained that the addition of a safe room substantially increases the cost of the project and the low bid for the project was \$687,000. Other facilities that operate 24/7 do not have safe rooms. The office component of the project is key and staff will work to make other provisions for inclement weather.

The Board voted to reject all bids received associated with renovation of the 911 Center because the current and value engineered proposals exceed the Fiscal Year 2024 budgeted amount for the project.

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

17. 14290 Request Approval/Execution of an Intergovernmental Agreement with the Coweta County School System Associated with Radio Tower Space - District 4

Administrator Fouts explained that the School System owns and operates a radio system as part of its transportation department. The School System desires to lease space on the County's public safety radio tower located at 807 Collinsworth Road, Palmetto (Canongate Tower) to enhance coverage for their operations. As proposed in an Intergovernmental Agreement (IGA), the County agrees to provide antenna and equipment space, and the School System agrees to pay \$6,000 annually as rent to offset operational and maintenance costs of the tower and utilities. The School System shall be responsible for all installation and ongoing maintenance costs associated with their system. Additionally, the School System shall comply with all Federal Communications Commission (FCC) regulations and should it cause any interference with the public safety radio system, they must correct or eliminate the interference. As proposed in the IGA, the term of the agreement is for a period of five (5) years with automatic renewals every January 1<sup>st</sup> (not to exceed 50 years) unless terminated by either party (90-days written notice). At their meeting on January 9, 2024, the Board of Education approved and executed the proposed IGA.

The Board voted to execute an Intergovernmental Agreement (IGA) with the Coweta County School System associated with radio tower space on the telecommunications tower located at 807 Collinsworth Road, Palmetto (Canongate Tower).

|                  |                                               |
|------------------|-----------------------------------------------|
| <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, McKenzie, Poole, Blackburn, Smith |

## Additional Action Items

18. 14264 Request Approval/Execution of a Deed to Convey Property Located at 22 East Broad Street to the Coweta County Development Authority

Administrator Fouts explained that on May 2, 2023, the Board of Commissioners voted to execute an Intergovernmental Agreement (IGA) with the Coweta County Development Authority contemplating the sale and redevelopment of the property located at 22 East Broad Street, Newnan [Parcel # N04-0007-001 (known as the Coweta County Administration Building and parking lot)]. Article 2 of the IGA states that the County will transfer the property to the Development Authority via Quit Claim Deed. If approved, the proposed Deed will transfer the property following acceptance and recording.

The Board voted to execute a Quit Claim Deed (QCD) to convey 1.93± acres located at 22 East Broad Street, Newnan, (Parcel # N04-0007-001) to the Coweta County Development Authority, to authorize the Chairman to execute associated documents, and to instruct staff to work with the County Attorney to finalize the metes and bounds in the QCD.



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

19. 14296 Request Approval/Execution of a Resolution Declaring Election Results of 2025 SPLOST Referendum

The Board voted to execute a Resolution Declaring the Results of an Election Determining the Continuation of a One Percent Sales and Use Tax (2025 SPLOST) and the Issuance of General Obligation Debt by Coweta County and for Other Purposes.

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

20. 14300 Request Approval/Execution of Resolution Associated with Elected Officials Salaries and Local Supplements

Administrator Fouts explained that the salaries of certain elected officials are established by state law and paid by the County, while the salaries of other elected officials are established by the Board of Commissioners (BOC) via an agreement from such elected officials. Additionally, the Board may choose to supplement the state established salaries of certain elected officials. Finally, certain elected officials are allowed to receive additional compensation in the form of various fees authorized by state law. On January 15, 2013, the Board voted to adopt a resolution to establish the salaries and local supplements of certain elected officials. This policy was amended on October 3, 2017, and December 17, 2019. He further explained that the purpose of a proposed resolution is to amend the current policy by revising the local supplement for the Sheriff. If approved by the Board, this policy shall become effective on February 5, 2024.

The Board voted to execute a Resolution to Amend the Policy Establishing Elected Official Salary Supplements and for Other Purposes to become effective February 5, 2024.

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

21. 14298 Request Approval/Execution of a Resolution to Adopt the Fourth Amendment to the Employee Handbook Associated with Death Benefits

Administrator Fouts explained that on August 18, 2018, the Board voted to adopt the Coweta County Employee Handbook to become effective on October 1, 2018. Since 2018, three (3) amendments have been adopted by the Board. Following the recent loss of two (2) Coweta County employees, staff is recommending amendments to the Employee Handbook associated with death benefits for surviving spouses and eligible dependents. The first revision provides continued group health insurance benefits for up to six (6) months for a surviving spouse and eligible dependents who were covered by the group health insurance plan at the time of the employee's death. Eligible employees include all full-time, active employees, who have successfully completed the probationary period. The continued health insurance benefits will be provided at the applicable employee

share of the group health insurance plan, and conditional upon certain milestones achieved by the surviving spouse and dependents. The second revision adds a line-of-duty death benefit for a surviving spouse and eligible dependents of an employee who suffered a death while performing their job who were covered by the group health insurance plan at the time of the employee's death. Eligible employees include all full-time, active employees. The continued health insurance benefits will be provided at the applicable employee share of the group health insurance plan, and conditional upon certain milestones achieved by the surviving spouse and dependents. If approved by the Board, these amendments will be retroactive to become effective on January 1, 2024.

The Board voted to execute a Resolution to Adopt the Fourth Amendment to the Employee Handbook associated with death benefits effective on January 1, 2024.

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

22. 14292 Request Approval/Execution of the Victims of Crime Act Grant Award Documents for the District Attorney's Office

The Board voted to execute a Memorandum of Understanding (MOU) with the Prosecuting Attorneys' Office of Georgia (PACGA) and the District Attorney, to execute Victims of Crime Act (VOCA) grant award documents, to approve distribution of the grant funds directly to the District Attorney's office, and to designate the County Administrator as the authorized official to execute related documents.

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

23. 14285 Request Approval/Execution of a Right-of-Entry Associated with Storm Drain Repairs at 384 Marsha Way, Sharpsburg - District 1

The Board voted to execute a Right-of-Entry with Mr. Jacob Shelton for the purpose of performing storm drain repairs at 384 Marsha Way, Sharpsburg.

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

24. 14281 Request Approval/Execution of a Right-of-Entry Associated with Storm Drain Repairs at 15, 25, and 30 Navaho Lane and 120 Indian Bluff Drive, Sharpsburg - District 4

The Board voted to execute a Right-of-Entry with Mr. Tamiko Simpson, Mr. Walter Hall, and Ms. Lynda Matthews for properties located at 15, 25, and 30 Navaho Lane, Sharpsburg (respectively) and with Mr. Harold Pryor for property located at 120 Indian Bluff Drive, Sharpsburg for the purposes of replacing a damaged storm drain.

|                  |                                               |
|------------------|-----------------------------------------------|
| <b>RESULT:</b>   | <b>EXECUTED [UNANIMOUS]</b>                   |
| <b>MOVER:</b>    | John Reidelbach, District 4 - Chairman        |
| <b>SECONDER:</b> | Bill McKenzie, District 2 - Vice Chairman     |
| <b>AYES:</b>     | Reidelbach, McKenzie, Poole, Blackburn, Smith |

## SUPPLEMENTAL AND/OR NON-AGENDA ITEMS

25. 14301 Request Approval to Utilize Justice Center to Hold Mock Trial Competitions

The Board voted to approve a request from Judge Joseph Wyant from Coweta County Juvenile Court to utilize the Coweta County Justice Center on Saturday, February 10, 2024 to hold the Regional Mock Trial Competition.

|                  |                                               |
|------------------|-----------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                   |
| <b>MOVER:</b>    | Bill McKenzie, District 2 - Vice Chairman     |
| <b>SECONDER:</b> | Bob Blackburn, District 3                     |
| <b>AYES:</b>     | 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.

The following individuals addressed the Board regarding upcoming training for a ballot counter for hand-marked paper ballots procured by another supporter of paper ballots, critical flaws in Georgia's touch-screen image cast ballot marking devices (BMDs), threats to election integrity, and vulnerability to a malware attack. They requested that Board take action to place hand marked, hand counted paper ballots in place for the 2024 election.

- Ms. Linda Menk, Avondale Circle, Newnan
- Mr. Maxwell Britton, Marion Beavers Road, Sharpsburg
- Mr. Allen Brady, Barrington Overlook, Sharpsburg

The following individuals addressed the Board regarding the status of the Coweta County Animal Shelter expressing their concerns regarding a lack of effort to find homes for animals, the need to showcase dogs, getting animals off the euthanasia list, a lack of positive communications with rescue groups and county residents, the need for spay/neuter laws, lack of empathy from officials, and an immediate need to increase the intake at the Shelter for dogs. They requested that the Board increase the number of kennels at the Shelter, temporarily remove Section 10.106 from the Coweta County Animal Services Ordinance regarding 90% capacity, require mandatory spay/neuter for all animals (unless a breeder's license is obtained) to reduce overpopulation, provide more low cost spay/neuter options, create stricter laws and prosecution of backyard breeders, and prosecute those that abandon animals.

- Ms. Allie Rine, The Boulevard, Newnan
- Mr. Linda Earhart, Ashley Court, Newnan (Newnan Coweta Humane Society)

**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 personnel 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, Community and Human Resources Director Palmer, Assistant Attorney Lee, and Deputy County Clerk Collins.

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

**REGULAR SESSION**

Motion To: **Return to Regular Session**

The Board discussed personnel issues during Executive Session and voted to return to Regular Session.

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

|                  |                                               |
|------------------|-----------------------------------------------|
| <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, McKenzie, Poole, Blackburn, Smith |

Motion To: **Personnel Actions Discussed in Executive Session**

The Board voted to approve personnel actions as discussed in Executive Session.

|                  |                                               |
|------------------|-----------------------------------------------|
| <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, McKenzie, Poole, Blackburn, Smith |

**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, McKenzie, Poole, Blackburn, Smith |