



Coweta County Board of Commissioners

Regular Meeting Session

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

Shannon Zerangue
770.254.2601

Thursday, January 7, 2021

6:00 PM

Commission Chambers

~ Minutes ~

COWETA COUNTY BOARD OF COMMISSIONERS

Call to Order

Attendee Name	Title	Status	Arrived
Paul Poole	District 1 - Chairman	Present	
Tim Lassetter	District 2	Present	
Bob Blackburn	District 3 - Vice Chairman	Present	
John Reidelbach	District 4	Present	
Al Smith	District 5	Present	
Michael Fouts	County Administrator	Present	
Eddie Whitlock	Associate Administrator	Present	
Kelly Mickle	Assistant Administrator	Absent	
Jerry Ann Conner	Assistant County Attorney	Present	
Shannon Zerangue	County Clerk	Present	

The Honorable Board of Commissioners of Coweta County, Georgia met in Regular Meeting Session on Thursday, January 7, 2021.

Meeting Called to Order

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

Pledge of Allegiance

Chairman Poole led the Pledge of Allegiance.

Invocation

Invocation was given by Commissioner Smith.

Notification of Location of Rules

Chairman Poole indicated the location of the rules governing the meeting.

REGULAR SESSION

FIRST OF THE YEAR BUSINESS

1. 7227 Beginning of the Year Appointments - Chairman, Vice-Chairman, Counsel, Clerk and Deputy Clerk

RESULT:	ACCOMPLISHED
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Motion To: **Appoint Chairman**

The Board voted to appoint Commissioner Bob Blackburn to serve as Chairman for calendar years 2021 and 2022.

Newly elected Chairman Blackburn thanked Commissioner Poole for his hard work, sacrifice, leadership and dedication during his tenure as Chairman and presented him with an engraved gavel as a token of appreciation on behalf of Coweta County.

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

Motion To: **Appoint Vice-Chairman**

The Board voted to appoint Commissioner Tim Lassetter to serve as Vice-Chairman for calendar year 2021.

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

Motion To: **Appoint Counsel**

The Board voted to appoint the firm of Glover and Davis, PA to serve as legal counsel to the Coweta County Board of Commissioners for calendar year 2021.

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

Motion To: **Appoint County Clerk**

The Board voted to appoint Ms. Shannon Zerangue to serve as Clerk to the Coweta County Board of Commissioners for calendar year 2021.

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

Motion To: **Appoint Deputy Clerk**

The Board voted to appoint Ms. Fran Collins to serve as Deputy Clerk to the Coweta County Board of Commissioners for calendar year 2021.

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

2. 7228 Adoption of Rules Governing Coweta County Board of Commissioners' Meetings

The Board voted to adopt the current rules governing Regular Meetings and Public Hearings of the Coweta County Board of Commissioners (effective August 1, 2019).

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Tim Lassetter, District 2
SECONDER: Paul Poole, District 1 - Chairman
AYES: Poole, Lassetter, Blackburn, Reidelbach, Smith

Information Provided by the Coweta County Emergency Management Coordinator

Coweta County EMA Coordinator Nic Burgess addressed the Board regarding the preparations associated with the COVID-19 vaccinations. He explained that Coweta County received the Moderna vaccine and staff will assist the Coweta County Health Department facilitate the vaccination process on Monday, January 11, 2021 from 8:00 a.m. - 5:00 p.m. at the Coweta County Fairgrounds. Vaccinations will take place for the entire tier 1A population, which includes healthcare workers in a clinical setting, staff and residents of long term health care facilities, all law enforcement and fire personnel, and adults age 65 and older on a first come, first served basis. A form of identification is requested and anyone receiving the vaccine should be prepared to wait fifteen (15) minutes afterward to be monitored for any adverse reactions. Those who have received any form of vaccine in the last fourteen (14) days and those who are currently in quarantine from a direct exposure to COVID-19 will not be able to receive the vaccine on Monday. In closing, he directed citizens meeting the criteria of tier 1A to the County's website to find a registration form and information regarding the Moderna vaccine, which will help expedite the process.

In response to a question from Commissioner Poole, Mr. Burgess explained that caretakers in the same vehicle with persons meeting the criteria for tier 1A will also be allowed to receive the vaccine.

3. 7229 Set Meeting Dates and Times for 2021 and the Beginning of 2022

The Board voted to set the following as the Commission meeting dates and times for calendar year 2021 and January 2022:

January 7, 2021 (First Thursday)	6:00 p.m.
January 21, 2021 (Third Thursday)	6:00 p.m.
February 9, 2021 (Second Tuesday)	6:00 p.m.
February 23, 2021 (Fourth Tuesday)	6:00 p.m.
March 9, 2021 (Second Tuesday)	6:00 p.m.
March 23, 2021 (Fourth Tuesday)	6:00 p.m.
April 6, 2021	6:00 p.m.
April 20, 2021	6:00 p.m.
May 4, 2021	6:00 p.m.
May 18, 2021	6:00 p.m.
June 3, 2021 (First Thursday)	6:00 p.m.
June 15, 2021	6:00 p.m.
July 13, 2021 (Second Tuesday)	6:00 p.m.
July 27, 2021 (Fourth Tuesday)	6:00 p.m.
August 10, 2021 (Second Tuesday)	6:00 p.m.
August 24, 2021 (Fourth Tuesday)	6:00 p.m.
September 9, 2021 (First Thursday)	6:00 p.m.
September 21, 2021	6:00 p.m.
October 5, 2021	6:00 p.m.
October 19, 2021	6:00 p.m.
November 2, 2021	6:00 p.m.
November 16, 2021	6:00 p.m.
December 2, 2021 (First Thursday)	6:00 p.m.
December 14, 2021 (Second Tuesday)	6:00 p.m.
January 6, 2022 (First Thursday)	6:00 p.m.

January 20, 2022 (**Third Thursday**)

6:00 p.m.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Al Smith, District 5
SECONDER: Tim Lassetter, District 2
AYES: Poole, Lassetter, Blackburn, Reidelbach, Smith

4. 7226 Request to Set the 2021 Holiday Schedule

The Board voted to set the following holiday schedule for calendar year 2021:

- Martin Luther King, Jr. Day - Monday January 18, 2021
- Memorial Day - Monday, May 31, 2021
- Independence Day - Monday, July 5, 2021
- Labor Day - Monday, September 6, 2021
- Thanksgiving - Thursday, November 25, 2021 and Friday, November 26, 2021
- Christmas - Friday, December 24, 2021 and Monday, December 27, 2021
- New Year's - Friday, December 31, 2021

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

5. 7225 Appointments by Chairman for 2021

RESULT: **ACCOMPLISHED**

Motion To: **Appoint Member to the Atlanta Regional Commission/Transportation Air Quality Control Committee**

The Board voted to appoint Commissioner Poole to serve as a member of the Atlanta Regional Commission (ARC)/Transportation Air Quality Control Committee (TAQC) for calendar years 2021 and 2022.

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

Motion To: **Appoint Representative to the Board of Health**

The Board voted to appoint Commissioner Poole to serve as a member of the Board of Health for calendar years 2021 and 2022.

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

Motion To: **Appoint Chaplain**

The Board voted to appoint Commissioner Smith to serve as Chaplain for calendar years 2021 and 2022.

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

Motion To: **Appoint Member to the Transportation Coordinating Committee of the Atlanta Regional Commission**

The Board voted to defer an appointment of a member of the Transportation Coordinating Committee (TCC) of the Atlanta Regional Commission (ARC) for calendar years 2021 and 2022.

RESULT: **DEFERRED [UNANIMOUS]**
MOVER: Al Smith, District 5
SECONDER: Bob Blackburn, District 3 - Vice Chairman
AYES: Poole, Lassetter, Blackburn, Reidelbach, Smith

Motion To: **Appoint Representative to the Three Rivers Regional Commission**

The Board voted to appoint Commissioner Poole to serve as a representative to the Three Rivers Regional Commission (TRRC) for calendar year 2021.

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

Motion To: **Appoint Non-Public Representative to the Three Rivers Regional Commission**

The Board voted to appoint Mr. Greg Wright to serve as the non-public representative to the Three Rivers Regional Commission (TRRC) for calendar year 2021.

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

Motion To: **Appoint Member to the Workforce Investment Board**

The Board voted to appoint Commissioner Poole to serve as a member of the Workforce Investment Board for calendar year 2021.

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

Motion To: **Appoint NACo Representative**

The Board voted to appoint Commissioner Smith to serve as the representative to the National Association of Counties (NACo) for calendar years 2021 and 2022.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Al Smith, District 5
SECONDER:	Bob Blackburn, District 3 - Vice Chairman
AYES:	Poole, Lassetter, Blackburn, Reidelbach, Smith

ANNOUNCEMENTS AND COMMENTS FROM THE COMMISSIONERS

Announcements and Comments from the Commissioners

Chairman Blackburn asked if there were any announcements or comments from the Board.

Commissioner Lassetter expressed appreciation to Commissioner Poole for his hard work, dedication, and leadership during his tenure as Chairman. He also welcomed newly-elected Commissioner John Reidelbach. He urged everyone to stay safe and healthy during the pandemic and expressed his hopes that COVID-19 will be under control soon.

Commissioner Smith expressed his thoughts and disappointment regarding the recent insurrection that occurred in the Nation's Capitol. He explained that the Pledge of Allegiance is more than a recitation and that the words must mean something to all Americans.

APPROVAL OF MINUTES

6. Minutes of Tuesday, December 15, 2020

The Board voted to approve the minutes from the Public Hearing/Regular Meeting Session held on December 15, 2020.

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

CONSENT AGENDA

7. 7951 Confirm Execution of a Sale and Purchase Agreement Associated with Property Located at 45, 47, and 49 Ansley Drive - 2nd District

The Board voted to confirm execution of a Sale and Purchase Agreement with the Coweta County Development Authority, the Newnan-Coweta County Airport Authority, and 45/47/49 Aviation LLC associated with property located at 45, 47, and 49 Ansley Drive.

RESULT:	CONFIRMED [UNANIMOUS]
MOVER:	Tim Lassetter, District 2
SECONDER:	Paul Poole, District 1 - Chairman
AYES:	Poole, Lassetter, Blackburn, Reidelbach, Smith

SUPPLEMENTAL AND/OR NON- AGENDA ITEMS

Supplemental and/or Non-Agenda Items

There were no Supplemental and/or Non-Agenda items to be discussed.

PUBLIC COMMENT (Items on the Agenda)

Public Comments Regarding Items On the Agenda

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

- Ms. Jennifer Candler, Hwy. 54, Sharpsburg addressed the Board regarding Petition # ZA 057-20 (agenda item # 11) explaining that she and her husband are requesting a Conditional Use Permit for an agribusiness on their farm while retaining the rural character of the area. They would like to connect people to flora and the importance of bees with an aviary and a pollinator colony.
- Mr. Patrick Studley, Briandwood Drive, Newnan addressed the Board regarding Petition # ZA 054-20 (agenda item # 8) explaining that upon excavation of the property for installation of a swimming pool, a large trash pit was discovered. Because of this unforeseen situation, they need to relocate the pool and are requesting a variance for such.
- Mr. Mark Mitchell, Mission Drive, Newnan addressed the Board regarding Petition # ZA 058-20 (agenda item # 12) explaining that he is the legal counsel for the Springwater Subdivision Homeowner's Association. He further explained that the applicant is requesting a Conditional Use Permit (CUP) for an existing church in her basement. This is a violation of the Springwater Subdivision Homeowner's Association covenants, is not a suitable use for the residential property, adversely affects adjacent or nearby properties, and will cause further problems such as use/burden to the existing streets as the church grows.
- Mr. Ernest Garrett, Springridge Court, Newnan addressed the Board regarding Petition # ZA 058-20 (agenda item # 12) explaining that he is the president of the Springwater Subdivision Homeowner's Association. He further explained that there are written covenants containing specific verbiage pertaining to all of the properties located in the subdivision, and the church located in the applicant's residence is a direct violation of these covenants. In closing, he stated that many other residents in the neighborhood would be interested in operating a tax exempt church from their homes.
- Ms. Pearl Presley, Springwater Shores, Newnan addressed the Board regarding Petition # ZA 058-20 (agenda item # 12). She explained that she is the property owner/applicant and has been conducting church services from her home since 2003 with no complaints from any of her neighbors in all that time. She is astonished to hear that any of the other residents would be interested in declaring their homes as churches. She expressed her belief that newly-elected Commissioner Reidelbach is the reason that she is even before the Board tonight. She was his opponent in the most recent race for District 4 Commissioner and she believes this is politically motivated because he thinks she does not want to pay property taxes, which is not the case. Following her husband's passing and as her property taxes were increasing, she contacted the Tax Assessor's office to ask how her church could become tax exempt because she has been conducting church services since 2003 and all churches have a tax exempt status (IRS Code). **Ms. Presley was well beyond the three (3) minutes allowed for comments per the rules governing the meeting, and Chairman Blackburn had to ask her to end her comments.**
- Ms. Cheryl Marie, Cumberland Boulevard, Atlanta addressed the Board regarding Petition # ZA 058-20 (agenda item # 12) explaining that Ms. Presley has conducted church services from the basement of her home for nearly twenty (20) years with no complaints from any of her neighbors. Ms. Presley and the church are not disturbing anyone and are providing a service to the community. In conclusion, she actively supports Ms. Presley and all that her congregation is doing.
- Mr. Larry Muczynski, Springview Place, Newnan addressed the Board regarding Petition # ZA 058-20 (agenda item # 12) explaining that he agrees with Mr. Mitchell and Mr. Garrett. Ms. Presley may have a fine church, but it is against the HOA rules/covenants, which are very specific. Like all the residents in the Springwater Subdivision, Ms. Presley signed the associated covenants knowing that conducting church services from the residence is a violation of those rules/covenants. At the Board of Zoning Appeals meeting (December 17, 2020), there were approximately forty-seven (47) expressions of opposition from members of the subdivision. One of the reasons he chose to live in Springwater was the fact that the covenants prohibit conducting businesses (including clergymen) from the residences, which increases traffic through the area. Ms. Presley is a real estate broker with vast resources to find a more suitable location for the church. In closing, he explained that as the church grows he does not want increased traffic in the neighborhood or to set a precedent for other businesses to begin to operate from the neighborhood/residences.

There were no further requests to address the Board regarding items on the agenda.

Recommendations from Planning and Zoning and/or the Board of Zoning Appeals**8. 7918 Recommend Approval of Petition # ZA 054-20 Filed by Alan Bake Requesting a Rear Yard Setback Variance for Property Located at 64 Lake Zachary Drive, Newnan**

Assistant Community Development Director Angela White presented Petition # ZA 054-20 filed by Mr. Alan Bake requesting a rear yard setback variance for property located at 64 Lake Zachary Drive, Newnan (Parcel # 119-6054-082) along with a recommendation of approval from the Board of Zoning Appeals. She explained that the subject property consists of 0.80± acres on the corner of Lake Zachary Drive and Long Shore Way in the Lake Zachary Subdivision. The applicant is proposing a pool and pool house on the property and during preparation of the site, it was discovered that a variance is needed because of a large debris pit that was found in the rear yard.

The Board voted to grant an 11-foot rear yard setback reduction (from 40-feet to 29-feet) as requested in Petition # ZA 054-20 filed by Mr. Alan Bake for property located at 64 Lake Zachary Drive, Newnan (Parcel # 119-6054-082), subject to the following conditions:

1. The rear yard setback reduction shall not exceed the requested 11-foot reduction to 29-feet.
2. The pool complex is developed as submitted with the current plans.

RESULT:	GRANTED [UNANIMOUS]
MOVER:	Al Smith, District 5
SECONDER:	Paul Poole, District 1 - Chairman
AYES:	Poole, Lassetter, Blackburn, Reidelbach, Smith

9. 7919 Recommend Denial of Petition # ZA 055-20 Filed by Magnolia Senior Living at Sharpsburg Requesting a Quality Development Corridor District Variance to Allow Visibility of Solar Panels on Property Located at 3700 SR 34 East, Sharpsburg

Assistant Community Development Director White presented Petition # ZA 055-20 filed by Magnolia Senior Living at Sharpsburg requesting a variance to allow solar panels to remain visible on a newly constructed facility located at 3700 SR 34 East, Sharpsburg (Parcel # 133-6092-003) along with a recommendation of denial from the Board of Zoning Appeals. She explained that the subject property consists of 4.29± acres containing a newly constructed assisted living facility. During construction of the facility, the applicant advised of the desire to utilize solar panels to support the building operation. An Administrative Variance was granted on April 2, 2020 approving the request, subject to two (2) conditions. Condition # 1 reads as follows:

1. There must not be any solar panel units placed on the roof of the building that are visible from the public right-of-way of S.R. 34.

After installation, staff inspected the site and found fourteen (14) panels to be in violation of the Administrative Variance. The applicant states that removal of the solar panels will result in default of an SBA 504 Green Loan and create a hardship. She explained that the requirements of the Administrative Variance were clearly noted and financial considerations are not applicable to consideration of a zoning or variance case under the *Coweta County Zoning and Development Ordinance*. Following the Public Hearing conducted by the Board of Zoning Appeals (December 17, 2020),

the applicant submitted a letter requesting that a decision regarding the variance request be deferred until February 23, 2021 and that the Temporary Certificate of Occupancy be extended until the same. Staff has been trying to work with the applicant for several months to address the panels and ensure that they are compliant with the current *Code of Ordinances*; however, these attempts have been unsuccessful. Staff has concerns regarding residents moving into the facility if the Temporary CO is extended and then there being an issue with removing the residents should the Board choose to deny the variance associated with the solar panels.

In response to a question from Commissioner Reidelbach, Ms. White explained that residents will be allowed to move into the facility under the terms of a Temporary CO. She further explained that there are currently no residents in the facility, but should the Board choose to extend the Temporary CO and then subsequently votes to deny the variance request regarding the solar panels on February 23, 2021, the issue will be how to move residents out of the facility.

Commissioner Smith made a motion to defer a decision regarding Petition # ZA 055-20 filed by Magnolia Senior Living at Sharpsburg requesting a variance to allow solar panels to remain visible on a newly constructed facility located at 3700 SR 34 East, Sharpsburg (Parcel # 133-6092-003) until February 23, 2021, which was seconded by Commissioner Reidelbach.

In response to a question from Administrator Fouts regarding the current Temporary CO and residents being allowed to move into the facility, Ms. White explained that a Business License has not yet been issued for the facility, therefore, no residents have been allowed to move in.

Commissioner Reidelbach explained that he would like to withhold the Business License until the solar panels are addressed.

Commissioner Poole expressed his frustration over the applicant's knowledge from the beginning that the panels did not meet the County's current ordinances, and he is opposed to granting an extension of the Temporary CO.

Assistant Attorney Conner explained that she has spoken with the applicant's legal counsel and they are trying to relocate the solar panels. Further, the terms of their loan for the facility specify use of the solar panels. They have requested that the Board defer a decision regarding the variance and extend the Temporary CO to allow their engineer(s) time to ensure that relocation of the panels complies with the County's ordinances and the terms of their funding.

Commissioner Reidelbach agreed with Commissioner Poole explaining that the applicant was well aware of the conditions of zoning for the property and their engineer should have understood the requirements of the terms of their loan for use of the solar panels as well as the terms of the County's ordinances for placement of the panels.

Commissioner Smith expressed his belief that the Board should grant an extension to give the engineer(s) and architect(s) an opportunity to find a means to move or conceal the solar panels.

Commissioner Poole disagreed because the applicant knew from the beginning that the panels did not meet the requirements of the Quality Development Corridor District (QDCD) ordinance.

Commissioner Reidelbach explained that he supports granting the applicant

thirty (30) days while withholding a Business License as the means to mediate everyone's concerns. He asked Commissioner Smith to consider adding this as a condition to his motion to defer a decision regarding the variance application.

Commissioner Smith amended his initial motion to defer a decision regarding Petition # ZA 055-20 filed by Magnolia Senior Living at Sharpsburg requesting a variance to allow solar panels to remain visible on a newly constructed facility located at 3700 SR 34 East, Sharpsburg (Parcel # 133-6092-003) until February 23, 2021 with the caveat that a Business License shall not be issued to the applicant/facility until such time that the solar panels are brought into compliance with the County's current *Code of Ordinances*.

On motion of Commissioner Smith, seconded by Commissioner Reidelbach, passing by a vote of 4 to 1, with Commissioner Blackburn, Commissioner Lassetter, Commissioner Smith, and Commissioner Reidelbach voting in support and Commissioner Poole voting in opposition, the Board voted to defer a decision regarding Petition # ZA 055-20 filed by Magnolia Senior Living at Sharpsburg requesting a variance to allow solar panels to remain visible on a newly constructed facility located at 3700 SR 34 East, Sharpsburg (Parcel # 133-6092-003) until February 23, 2021 with the caveat that a Business License shall not be issued to the applicant/facility until such time that the solar panels are brought into compliance with the County's current *Code of Ordinances*.

RESULT:	DEFERRED [4 TO 1]	Next: 2/23/2021 6:00 PM
MOVER:	Al Smith, District 5	
SECONDER:	John Reidelbach, District 4	
AYES:	Tim Lassetter, Bob Blackburn, John Reidelbach, Al Smith	
NAYS:	Paul Poole	

Motion To: **Extend Temporary Certificate of Occupancy for Magnolia Senior Living at Sharpsburg**

The Board voted to extend the Temporary Certificate of Occupancy for Magnolia Senior Living at Sharpsburg until midnight on February 23, 2021 with the caveat that a Business License shall not be issued to the applicant/facility until such time that the solar panels are brought into compliance with the County's current *Code of Ordinances*.

RESULT:	APPROVED [4 TO 1]
MOVER:	Al Smith, District 5
SECONDER:	John Reidelbach, District 4
AYES:	Tim Lassetter, Bob Blackburn, John Reidelbach, Al Smith
NAYS:	Paul Poole

10. 7920 Recommend Denial of Petition # ZA 056-20 Filed by Magnolia Senior Living at Sharpsburg Requesting a Quality Development Corridor District Variance to Allow Visibility of Mechanical Equipment on Property Located at 3700 SR 34 East, Sharpsburg

Assistant Community Development Director White presented Petition # ZA 056-20 filed by Magnolia Senior Living at Sharpsburg requesting a variance to allow mechanical equipment to remain visible on a newly constructed facility located at 3700 SR 34 East, Sharpsburg (Parcel # 133-6092-003) along with a recommendation of denial from the Board of Zoning Appeals. She explained that the subject property consists of 4.29± acres containing

a newly constructed assisted living facility and the "commercial kitchen hood-fresh air intake" (mechanical equipment) is visible from SR 34 East and from the courtyard area provided for residents to have outdoor enjoyment. The applicant has stated that because of the size of the kitchen, the hood is required to be sized as is, needs to be located in conjunction with the kitchen, and will eventually be screened as the landscaping on the property matures. In closing, she explained that the applicant is working to provide a free-standing, L-shaped, brick wall to screen the equipment.

In response to a question from Commissioner Smith, Ms. White explained that the applicant is working on a structure to screen the mechanical equipment that is currently in violation of the Quality Development Corridor District (QDCD) ordinance.

Commissioner Lassetter explained that should the Board choose to grant the variance request, the applicant would not be required to screen the mechanical equipment.

The Board voted to deny a variance to allow mechanical equipment to remain visible on a newly constructed facility located at 3700 SR 34 East, Sharpsburg (Parcel # 133-6092-003) as requested in Petition # ZA 056-20 filed by Magnolia Senior Living at Sharpsburg.

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

11. 7921 Recommend Approval of Petition # ZA 057-20 Filed by Wild Flora Farm Requesting a Conditional Use Permit for Property Located at 7975 Hwy. 54, Sharpsburg

Assistant Community Development Director White presented Petition # ZA 057-20 filed by Wild Flora Farm requesting a Conditional Use Permit (CUP) for property located at 7975 Hwy. 54, Sharpsburg (Parcel # 146-6130-013) along with a recommendation of approval from the Board of Zoning Appeals. She explained that the subject property consists of 26.502± acres currently zoned *RC (Rural Conservation)* and the applicants wish to operate a Neighborhood Agribusiness to allow tours of their gardens, and provide gardening and apiary workshops.

The Board voted to grant a Conditional Use Permit (CUP) for a Neighborhood Agribusiness on property located at 7975 Hwy. 54, Sharpsburg (Parcel # 146-6130-013) as requested in Petition # ZA 057-20 filed by Wild Flora Farm, subject to the following conditions:

1. The driveway from SR 54 should be widened to a minimum width of twenty-four (24) feet for at least the first fifty (50) feet from the edge of pavement of SR 54 to allow simultaneous inbound and outbound traffic at the entrance without causing queueing on SR 54 from vehicles that could be waiting to enter while another vehicle is exiting. The radii at the driveway connection to SR 54 should be twenty (20) feet minimum. The work within the Georgia Department of Transportation (GDOT) right-of-way (ROW) will require a permit from GDOT.
2. All applicable ADA and Georgia Accessibility requirements will have to be met. This will include adequate paved handicapped parking and a compliance certification letter from a registered professional before the site

can be licensed for business or buildings occupied.

3. All applicable requirements of Development Review (QDCD), Building, Engineering, Fire, Environmental Health Department, and Water and Sewerage Authority shall be met unless a variance is granted through the normal procedures of *Article 28*.
4. Lighting shall be established so adjacent properties and roadways are not adversely affected, and to preclude glare onto or direct illumination of adjacent properties and streets.
5. The owner/operator shall agree to work with the County, in good faith, to address any concerns or complaints related to odor, glare, noise, or similar objectionable features.
6. All structures that are utilized as part of the Neighborhood Agribusiness Conditional Use Permit will have to be reevaluated for appropriate commercial activity per Building regulations.
7. No use shall exceed a noise level of 45 dBa, as measured at the property line.
8. The days/hours of operation and activities shall be limited to those specified in the application/narrative.
9. Prior to any activity on site, a Certificate of Completion/Occupancy and Business License must be received for this site.

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

12. 7922 Recommend Denial of Petition # ZA 058-20 Filed by New Deliverance Ministry Requesting a Conditional Use Permit for Property Located at 90 Springwater Shores, Newnan

Assistant Community Development Director White presented Petition # ZA 058-20 filed by New Deliverance Ministries/Reverend Pearl Presley requesting a Conditional Use Permit (CUP) for property located at 90 Springwater Shores, Sharpsburg (Parcel # 108-6024-133) along with a recommendation of denial from the Board of Zoning Appeals. She explained that the subject property consists of 1.5± acres and the existing residential structure serves as the pastorium for Reverend Presley. In addition, the finished basement area is the location of New Deliverance Ministry and church services accessed via an exterior walkway. The applicant has noted that the church has been in operation since she moved into the new home in the early 2000s and parking is accessed via the horseshoe shaped driveway and paved area by the garage. The Community Development department was made aware of this church via correspondence with Administration and the Tax Assessor's office because the property has acquired tax exempt status as a church and pastorium. As a point of clarification, she explained that staff received five (5) letters of support and forty-five (45) letters of opposition to the application prior to the Public Hearing conducted by the Board of Zoning Appeals.

*** Commissioner Smith recused himself from any discussion or decision regarding Petition # ZA 058-20 filed by New Deliverance Ministries/Reverend Pearl Presley and exited the meeting.*

Commissioner Reidelbach explained that he was aware that Ms. Presley

had been conducting church services from her residence; however, he did not use that knowledge in any campaign literature, town hall meeting, or public debate. He does have concerns that granting the Conditional Use Permit (CUP) would set a precedent for others in the community that host small group studies in their homes. In closing, he recommended that if Ms. Presley is looking for a tax reduction, she should research IRS Codes that address tax relief for pastoral housing.

The Board voted to deny a Conditional Use Permit (CUP) as requested in Petition # ZA 058-20 filed by New Deliverance Ministries/Reverend Pearl Presley for property located at 90 Springwater Shores, Sharpsburg (Parcel # 108-6024-133).

RESULT:	DENIED [4 TO 0]
MOVER:	John Reidelbach, District 4
SECONDER:	Paul Poole, District 1 - Chairman
AYES:	Paul Poole, Tim Lassetter, Bob Blackburn, John Reidelbach
RECUSED:	Al Smith

UNFINISHED BUSINESS

13. 7957 Request Appointments to Various Boards/Authorities

*** Commissioner Smith returned to the meeting.*

The Board voted to reappoint Mr. Randall "Randy" Wahoske as the 4th District representative to the Board of Elections and Registration for the term beginning January 1, 2021 and expiring December 31, 2024.

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

NEW BUSINESS

Bids and Contracts

14. 7958 Request Approval/Execution of Supplemental Agreement # 1 with CHA Associated with Additional Design Work for the Shaw Road and Pete Road Roundabout Project (RB19.20) - 4th District

Administrator Fouts explained that engineering for the new middle school on Shaw Road was performed by an engineering firm hired by the School System and the site work that has been performed at the new school varies slightly from the roadway design that has been performed by the County's engineering consultant based upon the concept plan that was initially provided for the school site. Staff is in receipt of a Change Order for additional engineering and design services that will ensure that the roadway and the school entrance are in alignment.

Board voted to execute Supplemental Amendment # 1 with CHA Consulting, Inc associated with additional design work for the Shaw Road and Pete Road Roundabout project (RB19.20) in an amount not to exceed \$9,400.00 (SPLOST).

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

15. 7955 Request Approval/Execution of a Lighting Agreement Associated with the Intersection Improvement Project at SR 16 and Old Hwy. 85 (RB15.3) - 1st District

The Board voted to execute an Agreement with Georgia Power associated with lighting at the intersection of SR 16 and Old Hwy. 85 (RB15.3).

RESULT: EXECUTED [UNANIMOUS]
MOVER: Paul Poole, District 1 - Chairman
SECONDER: Tim Lassetter, District 2
AYES: Poole, Lassetter, Blackburn, Reidelbach, Smith

16. 7971 Request Approval/Execution of an Agreement with Norfolk Southern Associated with Widening of the Railroad Crossing at Joe Cox Road (RB18.2) - 2nd District

The Board voted to execute an Agreement with Norfolk Southern associated with widening of the railroad crossing at Joe Cox Road (RB18.2) at a total cost of \$44,908 (SPLOST).

RESULT: EXECUTED [UNANIMOUS]
MOVER: Tim Lassetter, District 2
SECONDER: Paul Poole, District 1 - Chairman
AYES: Poole, Lassetter, Blackburn, Reidelbach, Smith

17. 7962 Request Approval/Execution of a Lease with Metropolitan Communications Associated with Space on a Radio Tower Located at Oak Mountain in Carroll County - 2nd District

The Board voted to execute a lease with Metropolitan Communications associated with space on a radio tower located on Oak Mountain in Carroll County to provide connectivity for the 700 MHz Public Safety Radio System.

RESULT: EXECUTED [UNANIMOUS]
MOVER: Tim Lassetter, District 2
SECONDER: Paul Poole, District 1 - Chairman
AYES: Poole, Lassetter, Blackburn, Reidelbach, Smith

18. 7969 Request Approval/Execution of a Memorandum of Understanding Associated with Establishment of a Pretrial Diversion Program

Administrator Fouts explained that District Attorney Herb Cranford and Chief Probation Officer Jeff Rogers approached staff regarding a Pretrial Diversion Program (PTD). State Court has been successfully operating a PTD for several years and Mr. Cranford and Mr. Rogers have asked for consideration to establish a PTD for Superior Court. They believe the program will help defer some individuals from being sent to jail as well as helping with the court docket. In closing, he explained that the funding for the program will be generated by the participants.

The Board voted to execute a Memorandum of Understanding (MOU) associated with establishment of a Pretrial Diversion (PTD) Program.

RESULT:	EXECUTED [UNANIMOUS]
MOVER:	Tim Lassetter, District 2
SECONDER:	Paul Poole, District 1 - Chairman
AYES:	Poole, Lassetter, Blackburn, Reidelbach, Smith

19. 7959 Bid Award Associated with Enforcement of Ordinance Regulating Rank Plant Growth and Trash Accumulation for Property Located at 65 Four Oaks Drive, Newnan - 2nd District

The Board voted to retain TWR Lawn Service, Inc to perform cleanup of property located at 65 Four Oaks Drive, Newnan (Parcel # 100-2063-023) at a total cost of \$500.00 and to place a lien on said property, should it become necessary, to recoup associated costs for said services.

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

Additional Action Items

20. 7938 Request Approval to Temporarily Close a Portion of Marion Beavers Road (GDOT Project) - 1st District

The Board voted to temporarily close of a portion of Marion Beavers Road on Monday, January 18, 2021 through Tuesday, January 19, 2021 (weather permitting) to facilitate construction of a GDOT quick response project.

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

PUBLIC COMMENT (Items Not on the Agenda)

Public Comments Regarding Items Not on the Agenda

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

**** Note:** The speakers below are not listed in the order of appearance.

The following individuals addressed the Board regarding a request for Coweta County to apply for Coronavirus Aid, Relief, and Economic Security (CARES) Act funding to provide seed money to establish an Eviction Diversion Program to assist individuals who are struggling with rent/mortgages/property insurance as a result of the nationwide COVID-19 pandemic:

- * Pamela Gabel (American Red Cross Volunteer)
- * Cynthia Bennett (Chamber of Commerce)
- * Yvette Thomas (Community Action for Improvement)
- * Ann Kerlin (One Roof Outreach)
- * Eric Miller (Newnan Coweta Habitat for Humanity)
- * Kelly Nelson (Bridging the Gap)

Mr. Ricky Ronig, Smokey Road, Newnan also addressed the Board explaining that he is interested in leasing or purchasing hangars located at 45, 47, and 49 Ansley Drive to relocate his business to the Newnan-

Coweta County Airport. He provided a brief review of his business, WarDaddy Aviation, located at the Peachtree City Airport (Falcon Field) including operations, maintenance and refurbishments, number of aircraft, jet fuel sales, and other activities.

Commissioner Poole conducted a brief discussion with the individuals supporting an Eviction Diversion Program regarding how to find assistance for a family he knows that are living in a residence/structure that should be condemned.

EXECUTIVE SESSION

Executive Session

There were no issues to be discussed in Executive Session.

ADJOURNMENT

Motion To: **Adjourn**

The Board voted to adjourn the meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Al Smith, District 5
SECONDER:	Tim Lassetter, District 2
AYES:	Poole, Lassetter, Blackburn, Reidelbach, Smith