



Coweta County Board of Commissioners

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

Public Hearing/Regular Meeting Session

Minutes

Shannon Zerangue
Fran Collins
770.254.2601

August 20, 2024

6:00 PM

Commission Chambers
37 Perry Street
Newnan, GA 30263

Coweta County Board of Commissioners

Roll Call

Attendee Name	Title	Status
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 County Administrator	Present
Sandy Wisenbaker	Assistant County 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 August 20, 2024.

Meeting Called to Order

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

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

Motion to: **Amend Time Limit for Speakers**

The Board voted to amend the total time limit for the Public Hearing regarding the proposed 2024 millage rates to forty (40) minutes in support and forty (40) minutes in opposition.

RESULT: (UNANIMOUS)

MOVER: John Reidelbach

SECONDER: Bill McKenzie

AYES: John Reidelbach, Bill McKenzie, Paul Poole, Bob Blackburn, Alphonso Smith

Approval of Minutes

1. Request Approval of the Minutes from the Public Hearing/Regular Meeting Session Held on August 6, 2024

Motion to: **Approve**

The Board voted to approve the minutes from the Public Hearing/Regular Meeting Session held on Tuesday, August 6, 2024 at 6:00 p.m.

RESULT: Passed (UNANIMOUS)

MOVER: Alphonso Smith

SECONDER: Bob Blackburn

AYES: John Reidelbach, Bill McKenzie, Paul Poole, Bob Blackburn, Alphonso Smith

Consent Agenda

2. Confirm Execution of a Proclamation Designating September 2024 as "Ovarian Cancer Awareness Month" in Coweta County

Motion to: **Confirm**

The Board voted to confirm execution of a proclamation designating September 2024 as "Ovarian Cancer Awareness Month" in Coweta County.

RESULT: Passed (UNANIMOUS)

MOVER: Bill McKenzie

SECONDER: Paul Poole

AYES: John Reidelbach, Bill McKenzie, Paul Poole, Bob Blackburn, Alphonso Smith

3. Confirm Execution of a Proclamation Designating September 2024 as "National Recovery Month" in Coweta County

Motion to: **Confirm**

The Board voted to confirm execution of a proclamation designating September 2024 as "National Recovery Month" in Coweta County.

RESULT: Passed (UNANIMOUS)

MOVER: Bob Blackburn

SECONDER: Bill McKenzie

AYES: John Reidelbach, Bill McKenzie, Paul Poole, Bob Blackburn, Alphonso Smith

Mr. Hank Arnold, Executive Director of Coweta F.O.R.C.E. (Friends of Recovery for Community Empowerment) was present to accept the proclamation.

Supplemental and Non-Agenda Items

Motion to: **Approve**

The Board voted to approve the addition of one (1) Supplemental agenda item for discussion.

RESULT: Passed (UNANIMOUS)

MOVER: Bill McKenzie

SECONDER: Bob Blackburn

AYES: John Reidelbach, Bill McKenzie, Paul Poole, Bob Blackburn, Alphonso Smith

Public Hearing (The Chairman will call for any comments regarding the following items after each item is presented)

4. Third Public Hearing Regarding the Proposed 2024 Millage Rates

Chairman Reidelbach explained that this is the third and final Public Hearing regarding the proposed 2024 millage rates.

Prior to beginning the proposed 2024 millage rate presentation, Administrator Fouts explained that the County's budgetary information for at least five (5) years, the Annual Comprehensive Financial Reports, information regarding the proposed 2024 millage rate, the millage rate presentation, and as of next week, the proposed Fiscal Year 2025 budget can be found on the County's website under Departments and Services and by selecting the Finance Department. He explained that this is the third of three Public Hearings as required by law when the proposed millage rate exceeds the rollback rate.

Administrator Fouts provided the following facts regarding the proposed County Maintenance and Operations (M&O) millage rate to dispel some misinformation that has been circulating in the community following the first Public Hearing:

- Regarding the myth that an individual's total tax bill will increase by 39%: The proposed millage rate increase by the Board only applies to the County Maintenance & Operations (M&O) NOT the total tax bill. At the July 7, 2024 Work Session, it was the consensus of the Board to advertise the County M&O rate of 6.188 mills (39%) while staff continued to analyze and review the draft Fiscal Year 2025 budget. Prior to the first millage rate Public Hearing on August 6, 2024, this rate was reduced to 5.700 mills (28%) because of reductions in the draft Fiscal Year 2025 budget. In addition, the State has very specific requirements associated with the advertisement for a property tax increase and the County cannot deviate from those requirements. Unfortunately, this can cause confusion for the public. He provided some examples of tax bills for current properties in Coweta County (personal information redacted) to demonstrate how the proposed millage rate would affect the County's M&O rate.
- Regarding the myth that property taxes have continuously increased over the past five (5) years: The County's M&O has actually been rolled back four (4) of the last five (5) years. In 2022, the unincorporated rate increased 3.17%. Using the same Coweta property examples, he provided a 5-year history of the County's M&O for each.
- Regarding the myth that the proposed Fiscal Year 2025 budget is increasing by 39%: The proposed budget is an 11% increase, with the Jail expansion project, a 2023 millage rate rollback, and increased operating costs being the primary drivers. He provided a breakdown of the General Fund budget by function for Fiscal Year 2024 and as proposed for Fiscal Year 2025. He then provided a breakdown of the same current properties and the percentage allocated for each function based upon their 2023 tax bill as well as the proposed change for Fiscal Year 2025 (tax year 2024).

- Regarding the myth that House Bill 581 (fka Senate Bill 349) is a factor in determining the Fiscal Year 2025 budget: In 2024, the Georgia General Assembly adopted House Bill 581 (formerly SB 349) regarding property tax and sales tax reform, which includes a statewide floating homestead exemption, an opt-out for Boards of Education and Boards of Commissioners, and a new local option sales tax for property tax relief. Contingent upon the ratification of this constitutional amendment during the November 2024 statewide referendum, this will become effective January 1, 2025. Customarily, County staff began the annual budget preparation process prior to the adoption of HB 581, and it was not a factor in the budget considerations.

Administrator Fouts presented a tax dollar breakdown based upon the 2023 millage rates, explained which departments are responsible for property values, assessments, and tax collection, noted that the Board of Education and municipalities have independent authority over their budgetary decisions and millage rates, and highlighted items that comprise the tax digest.

Administrator Fouts also explained the calculations of a mill of tax, outlined the timeline for property assessments, setting of the millage rates by the Board of Education and the County, submission of the Tax Digest by the Tax Commissioner to the Georgia Department of Revenue, and adoption of the fiscal year budget.

Administrator Fouts explained that state law requires that the property tax rate or millage rate be set annually by the local governing authority, which is the Board of Commissioners in Coweta County. When the total digest of taxable property is prepared, Georgia law requires taxing authorities to compute a rollback millage rate for maintenance and operations that will produce the same total revenue based on the current year's digest that last year's millage rate would have produced had no reassessments occurred. If the millage rate to be considered is above that rollback rate, three (3) Public Hearings are required by law. This is the third and final Public Hearing and will be followed by adoption of the millage rate.

Administrator Fouts highlighted the following four (4) steps to calculate the millage rate:

1. Development of a draft fiscal year budget based upon goals and expectations (service delivery)
2. Development of non-property tax revenue projections to support the draft budget
3. Calculation of property tax revenue needed from step 2 to balance the budget
4. Calculation of the millage rate using the data from step 3 and the current tax digest

Chairman Reidelbach called for any comments in support of the proposed 2024 millage

rates.

District Attorney Herb Cranford addressed the Board expressing his support of the proposed 2024 millage rates. He explained that two-thirds of the funding for his office comes from the five (5) counties in the circuit with the remainder funded by the State. He further explained that the biggest issue the DA's office faces is paying the Assistant District Attorneys (ADAs) enough to retain them. He currently has twenty-three (23) full-time ADAs and since 2020, twenty-five (25) have taken other jobs elsewhere for more money. His concern is that when someone gets prosecuted for something really serious, the victims of those crimes deserve to have somebody that has been around a while and developed the skills required to handle that case well. In addition, it costs approximately \$60-\$70 per day to keep an offender in jail. At least fifty (50) violent felony cases are indicted and waiting to be resolved. Those are cases where people wait in jail (for trial) without a bond. The more experienced staff he has, the more cases can be resolved quickly. In conclusion, he is requesting additional funding in his Fiscal Year 2025 budget.

Ms. Marianne Pizzitola, Highland Park Drive, Sharpsburg explained that she supports pay increases for first responders, but not the full increase unless cuts are made. She expressed her belief that the constituents of District 4 do not want a sports complex (Prowell Park) in their backyard; the County needs to preserve rural character, stop over-development, have first responders including firefighters, EMTs, paramedics, and police officers to respond in a timely manner. She expressed the need for more firehouses and increased coverage for adequate protection. She noted that county-wide workers are underpaid, especially in the EMS/Fire circle and the DA's office. Citizens are struggling to pay their taxes and bills, but rely on calling 911 to come to their aid if needed.

Chairman Reidelbach called for any comments in opposition to the proposed 2024 millage rate.

The following individuals spoke in opposition to the proposed millage rate citing concerns regarding a proposed 39% increase in millage rates, increase in property taxes, increase and variations in property assessments, senior citizens (65 and older) should be exempt from school taxes, the need to cut wasteful spending, lining of pockets, treatment of and ignoring citizens at meetings, need for larger meeting room and more time for speakers, unused community centers, land grabs, rules of the meeting, high inflation, lack of disposable income and decreasing family incomes, discharge of duties should be in good faith, the role of government, cutting growth and development in the county, playgrounds, each government entity hiding behind each other entity, living on a fixed income, Superior Court Clerk keeping processing fee for passports, need to freeze taxes, setting millage rate before setting the budget, additional cuts to the budget, increasing property taxes before new legislation takes effect in January, School Board receives too large a portion of property taxes, and the effect on kids and their future.

- Mr. Clark Verbockel, Deerwood Trail, Sharpsburg
- Ms. Nancy McLain, East Camp Street, Moreland
- Ms. Jill Collins, Woodmoor Drive, Newnan
- Ms. Laurie Newsome, Craigwood Way, Sharpsburg
- Ms. Helen Sherman, Beaubrook Lane, Sharpsburg
- Mr. John Moody, Oak Hill Drive, Newnan
- Mr. Jason Burns, Pine Hill Street, Newnan
- Mr. Bill O'Connor, Barrington Ridge Court, Sharpsburg
- Mr. David Stover, Ridley Road, Palmetto
- Mr. Thomas Neal, Fieldstone Farms Drive, Senoia
- Mr. Mike Yeager, Martin Mill Road, Moreland
- Mr. Robert Mustic, Fischer Road, Sharpsburg
- Mr. Clinton Roughton, Pecan Trace, Newnan
- Ms. Morgan Lichty, Lakeshore Drive, Newnan
- Ms. Jasmine Meehan, Quig Youngs Road, Moreland
- Ms. Sammy Jo Wisely, Jackson Street, Newnan
- Mr. Steven Hill, Baker Road, Newnan
- Mr. Charlie Smith, Rockhouse Road, Senoia

Administrator Fouts explained that the time allotted for comments has expired.

Motion to: **Close the Public Hearing**

The Board voted to close the Public Hearing regarding the proposed 2024 millage rate.

RESULT: Passed (UNANIMOUS)

MOVER: Paul Poole

SECONDER: Bill McKenzie

AYES: John Reidelbach, Bill McKenzie, Paul Poole, Bob Blackburn, Alphonso Smith

5. Request to Set the 2024 Millage Rates

Motion to: **Set the 2024 Countywide M&O Millage Rate**

On motion of Commissioner Poole, seconded by Commissioner Smith, failing by a vote of 3 to 2 with Chairman Reidelbach, Commissioner McKenzie, and Commissioner Blackburn voting in opposition, and Commissioner Poole and Commissioner Smith voting in support, a motion to set the 2024 countywide M&O millage rate at 5.0 mills was defeated.

RESULT: Failed (3 to 2)

MOVER: Paul Poole

SECONDER: Alphonso Smith

AYES: Paul Poole, Alphonso Smith

NAYES: John Reidelbach, Bill McKenzie, Bob Blackburn

Motion to: Set the 2024 Millage Rates

The Board voted to set the 2024 millage rates as follows and to authorize the Chairman to execute a resolution, certification of documents, and a letter for submittal to the Georgia Department of Revenue regarding the establishment of the 2024 millage rates:

County M&O - Countywide	4.688 mills
Fire District 2 - Operations	2.900 mills
Fire District 2 - Debt Service	0.195 mills
Haralson Special Service District II - Operations	2.900 mills
Haralson Special Service District II - Debt Service	0.195 mills
School District	15.410 mills

RESULT: Passed (4 to 1)

MOVER: John Reidelbach

SECONDER: Bill McKenzie

AYES: John Reidelbach, Bill McKenzie, Bob Blackburn, Alphonso Smith

NAYS: Paul Poole

Chairman Reidelbach explained that the County has been reclassifying public safety and 911. The fire service has already been reclassified and budgeted so they will receive their new classifications this year.

6. Public Hearing Regarding Petition # REZ 24-08 Filed by Pulte Home Company, LLC (dba Del Webb Newnan) Requesting to Rezone/Review Conditions # 10, # 11, and # 14 Associated with Property Located off Posey Road, Baker Road, and Holz Parkway - District 4

Assistant Community Development Director Ben Sewell presented Petition # REZ 24-08 filed by Pulte Home Company, LLC (dba Del Webb Newnan) requesting to rezone/review conditions # 10, # 11, and # 14 associated with previous Petition # REZ 23-09 for property located off Posey Road, Baker Road, and Holz Parkway (Parcels # 108-6008-003, 108-6008-004, 108-5113-001, and 109-5112-002). He explained that the three (3) conditions are related to a previously approved active adult and retirement community. On July 11, 2023, the Board approved Petition # REZ 23-09 for a 964-lot, age restricted community subject to twenty-eight (28) conditions. The applicant is requesting that the Board review and consider modifying three (3) of those original zoning conditions. Condition # 14 is intended to give future lot owners a more manageable yard by limiting the slope steepness between lots. It reads that transitional slopes should be 4:1 or flatter and gives the developer the option to mitigate this by creating a retaining wall. The applicant is requesting that the slope limitation only be applied to side yards, effectively omitting the

rear yards. Conditions # 10 and # 11 pertain to the timing of certain transportation improvements along Posey, Hammock, and Baker Roads. Condition # 10 currently requires that the developer widen Posey Road to provide two (2) 11-foot lanes plus 6-foot shoulders on each side of the roadway from the northern property line of the development to the intersection with Hammock Road in conjunction with either of its initial accesses to Posey Road, or the 100th Certificate of Occupancy (CO). The applicant is requesting that this requirement be moved to the 249th CO. Similarly, Condition # 11 currently requires that the developer complete the installation of the roundabout at Posey, Hammock, and Baker Roads with either its initial access to Posey Road or the 100th CO. The applicant is also requesting that this requirement be moved to the 249th CO. If the Board approves the requests to move the Posey, Baker, and Hammock improvements to the 249th CO, staff recommends that the Board also amend Condition # 23 as to not create conflicts or confusion with the number of lots allowable off certain number of access points. Condition # 23 basically restates the ordinance and allows 49 lots off one (1) entrance, up to 249 lots off two (2) entrances, up to 499 lots off three (3) entrances, and up to 964 lots off four (4) entrances. He explained that the developer does not plan to push through to Posey Road until the 249th CO, and staff wishes to clarify how the developer plans to meet the access requirements. Staff proposes that the Board consider amending Condition # 23 as follows:

23. The subdivision street outlets shall be constructed in accordance with the following:
 - a. Phase 1 will have a total lot count of 185 and the development will be required to have two (2) access points. (The main entrance at Holz Parkway, and the Permanent Fire Access (PFA) to SR 34 through the Odom tract).
 - b. Phase 2 will have a total lot count of 192 and the development will be required to have three (3) access points. (The main entrance at Holz Parkway, the Permanent Fire Access (PFA), and the Gated Emergency Entrance (GEE) onto Baker Road). Upon final plat approval of Phase 2, staff will place a hold on 128 lots and will not issue any further Certificate of Occupancy's until Conditions # 10 and # 11 are met.
 - c. Phase 3 will have a total lot count of 128 and the development will be required to have four (4) access points. (The main entrance at Holz Parkway, the Permanent Fire Access (PFA), the Gated Emergency Entrance (GEE), and the Secondary Gated Access (SGA) at the southern entrance onto Posey Road).
 - d. Phase 4 will have a total lot count of 97 and the development will be required to have five (5) access points. (The main entrance at Holz Parkway, the Permanent Fire Access (PFA), the Gated Emergency Entrance (GEE), the Secondary Gated Access (SGA), and the Tertiary Gated Entrances (TGE) at the northern entrance onto Posey Road).
 - e. Phase 5 will have a total lot count of 173, and Phase 6 will have a total lot count of 189, bringing the development to completion with a combined total of 964 lots.

In closing, Mr. Sewell presented the revised conditions as reflected in the staff report and explained that the applicant representative is present to answer any questions from the

Board.

Mr. George Rosenzweig, applicant representative, explained that the property was previously rezoned, and that he wishes to discuss amendments to four (4) of the zoning conditions.

In response to a question from Chairman Reidelbach, Mr. Rosenzweig explained that his slide presentation almost entirely meets with Mr. Sewell's presentation, however, with regard to Condition # 23, he is asking that an additional item "f" be added to allow for a slight variation in lot counts. Staff's suggested amendments in Condition # 23 refer to a specific number of lots in each stage. The development is still in preliminary stages, with many variables, and the applicant is also asking for a variation in the numbers of lots by $\pm 10\%$ in Phase 1 and $\pm 5\%$ for the subsequent phases.

In response to a question from Chairman Reidelbach, Public Works Administrator Handley explained that since development of the staff report, additional conversations have been held regarding Condition # 23. There have been a couple of iterations since then and, in an effort to avoid confusion, the original conditions as listed in the staff report were not updated. In regard to Mr. Rosenzweig's request regarding the variances in the number of lots, Mr. Handley explained that he does not object to a 10% variance in Phase 1 and a 5% variance in the remaining phases.

Mr. Rosenzweig continued by explaining that the applicant is requesting that Conditions # 10 and # 11 change the completion delivery date to the 249th CO. Condition # 14 changes the slope applicable to the side yard only, and Condition # 23 changes the phasing of the entrances. He pointed out the location of I-85 and Hwy 34 and that the first infrastructure deliverable is the construction of Holz Parkway. The proposed timing changes discussed earlier are located at the intersection of Posey, Baker, and Hammock Roads. The requested changes are because the applicant has made substantial commitments to infrastructure improvements which are affected by inflation. Moving the deliverables will enable them to spread out the associated costs. He briefly reviewed the economic benefits of development and its impact on schools. In closing, he reviewed the requested changes to Conditions # 10, # 11, and # 23.

Chairman Reidelbach called for any comments in support of or in opposition to the proposed rezoning/review of conditions.

Mr. Larry Muczynski, Spring View Place, Newnan spoke in opposition to the proposed rezoning/review of conditions, citing concerns about the additional number of years construction will take between the 100th house and the 249th house, inflationary increases in costs during that time, delays in construction of the roadway improvements, impacts to traffic, and continued changes to the initial rezoning.

In response to questions from the Board, Mr. Rick Martin, Director of Land Acquisitions for Pulte Homes, explained that according to their construction schedule, Holz Parkway will be extended to the main entrance and simultaneously, mass grading will begin on the site to begin construction in phases. Upon completion of Holz Parkway, the amenity and model park will be completed before home sales begin and approximately \$60 million will have been invested up to this point. The odds of the project going bankrupt are very low. Pulte has developed over 100 of these projects to date and none have failed. The pace of construction will be approximately 120 homes per year, and the Land Disturbance Permit (LDP) has to be obtained by July 2025. 249 homes are still considered the first phase of the project, and before coming out of the first phase, they will be constructing improvements on Posey Road. In addition, they will not be utilizing any access point on Posey until the road improvements have been made. The primary fire access will come through the old Oldham property and exit onto SR 34 with right-in/right-out lanes only, and there will not be any traffic going east and out of Posey Road until after the 249th home has been constructed. The primary entrance to Holz Parkway will be contiguous with the first phase. There is not a need for additional access points until the later phases have been constructed. In addition, one of the conditions listed in the staff report is that a hold will be placed on 128 COs until those provisions have been met.

Mr. Sewell explained that there will be 185 homes in Phase 1.

Chairman Reidelbach explained that the Land Disturbance Permit has to be obtained by July 15, 2025.

Motion to: Close the Public Hearing

The Board voted to close the Public Hearing regarding Petition # REZ 24-08 filed by Pulte Home Company, LLC (dba Del Webb Newnan) requesting to rezone/review conditions # 10, # 11, and # 14 associated with property located off Posey Road, Baker Road, and Holz Parkway.

RESULT: Passed (UNANIMOUS)

MOVER: John Reidelbach

SECONDER: Bill McKenzie

AYES: John Reidelbach, Bill McKenzie, Paul Poole, Bob Blackburn, Alphonso Smith

Motion to: Approve

The Board voted to rezone 472.49± acres located off Posey Road, Baker Road, and Holz Parkway (Parcels # 108-6008-003, 108-6008-004, 108-5113-001, and 109-5112-002) from RRCC (Residential Retirement Community & Care) with conditions to RRCC (Residential Retirement Community & Care) as requested in Petition # REZ 24-08 filed by Pulte Home Company, LLC (dba Del Webb Newnan), subject to the following conditions:

1. The applicant shall comply with all requirements of Coweta County's Stormwater

Management, Soil Erosion and Sedimentation Control, and Wetlands Protection Ordinances.

2. All applicable requirements of the Fire Marshal, Environmental Management, and Building Department shall be met.
3. Any applicable lighting related to the proposed development shall be established so adjacent residential properties are not adversely affected, and to preclude glare onto or direct illumination of adjacent properties and streets.
4. The applicant shall meet all requirements of the RRCC (Residential Retirement Community and Care) district unless a variance is granted through the normal variance process.
5. Residential structures shall consist of fire-resistant materials like cementitious siding or other masonry-like products with no vinyl or wood siding allowed.
6. All amenities as proffered by the applicant shall be completed on or before issuance of the 300th building permit.
7. There shall be a 50-foot buffer adjacent to all RC (Rural Conservation) districts unless a variance is granted through the normal variance procedure. A landscape and buffer plan shall be submitted to the Community Development Director for approval to ensure all existing buffers meet the requirements of Appendix A. Zoning and Development of the Coweta County Code of Ordinances. Any additional plantings or berms may be added to ensure proper buffering adjoining all RC zoning districts. A 50-foot buffer shall be required along all existing road frontages. Berms will be included along Baker Road and Posey Road as part of the buffer and landscaping plan. The applicant shall consult with the Coweta County Development Review Division regarding whether buffers shall be natural, planted, or a combination of the two. Additionally, the Development Review Division may require a landscaped berm to be installed as part of any planted buffer. All buffer plantings shall meet the requirements of Appendix A. Zoning and Development, Article 25 Buffer and Screening of the Coweta County Code of Ordinances. The applicant shall replant any areas of the 50-foot exterior where the vegetation is sparse using evergreen plants to visually screen the backs of homes from public roads.
8. All conditions contained in Attachment A of DRI # 3676 must be completed by the Developer at the Developer's expense.
9. Prior to final plat approval of the initial phase, the applicant shall design and construct an extension of Holz Parkway from its current northern terminus to the community entrance designated as Driveway 1 on the DRI Public Hearing/Regular Session Minutes dated July 11, 2023 of the Coweta County Board of Commissioners. The Holz Parkway extension shall be designed as a four-lane roadway with a 16-foot divided median and the applicant shall construct two-lanes on one side of the median allowing for future widening. All cross drainpipes shall be designed and constructed to accommodate the future widening and a cul-de-sac constructed at the end of the extension of Holz Parkway. The extension of Holz Parkway shall be completed in conjunction with the initial phase of the development and final plat.
10. Prior to County acceptance and opening of the first development access to Posey

Road or the 249th Certificate of Occupancy within the development, whichever occurs first, the applicant shall widen Posey Road to provide two (2) eleven-foot lanes and 6-foot shoulders on each side of the roadway for the through traffic from the northern property line of the development to the intersection with Hammock Road in conjunction with permitted accesses to Posey Road.

11. Prior to County acceptance and opening of the first development access to Posey Road or the 249th Certificate of Occupancy within the development, whichever occurs first, the Posey-Hammock-Baker roundabout, and the Baker Road turn lane at SR 34 shall be completed.

12. All associated lighting and landscaping with the roads and roundabout shall comply with the Georgia Department of Transportation (GDOT) standards.

13. The applicant shall comply with any additional requirements established by the Georgia Department of Transportation (GDOT) for access to or work within GDOT right-of-way.

14. Pad graded lots shall have manageable side yard transitional slopes of 4:1 or flatter. If a transition would create grades steeper than 4:1, then retaining walls will be required as an alternative to steep, not easily maintainable, and un-stabilized yard slopes.

15. A grading and drainage master plan shall be provided for review during the preliminary plat review.

16. The permit applicant shall be responsible for stormwater 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.

17. The Developer may permit model homes in accordance with Appendix A. Zoning and Development, Article 24 Development Regulations, Section 246.2.3 # 3 of the Coweta County Code of Ordinances, or once a final plat has been approved.

18. At the discretion of the Community Development Director additional width shall be required to drainage easements for storm pipe systems that are to be located in close proximity to houses, with deep cover, or in areas where additional width is needed for adequate excavation and safe working space for maintenance. In addition, staff may require reinforced concrete pipe in these areas of concern.

19. Homes shall be set back at least 100-feet from Posey Road and Baker Road.

20. In regard to Odom Lake, the Developer shall comply with the letter dated January 24, 2022, from Caroline Walden of the Georgia Department of Natural Resources by lowering the crest of the dam so that the maximum volume impounded is less than 100-acre feet so that the subject dam is reclassified from Category II to exempt from regulation under the Safe Dams Act. The Developer must maintain the dam for the duration of the development's construction and must provide in the subdivision covenants that the Homeowners Association (HOA) is responsible for maintenance of the open-space and amenities after the property is transferred to the HOA.

21. The development shall be limited to 964 single-family lots.

22. The development shall be constructed with the following subdivision street outlets:
 - a. A main entrance off of Hollz Parkway
 - b. A secondary entrance off the west side of Posey Road
 - c. A tertiary entrance off the west side of Posey Road.
 - d. A gated emergency access off of Georgia Highway 34.
23. The subdivision outlets shall be constructed in accordance with the following:
 - a. Phase 1 will have a total lot count of 185 and the development will be required to have two (2) access points. (The main entrance at Hollz Parkway and the PFA (Permanent Fire Access) to SR 34 through the Odom tract).
 - b. Phase 2 will have a total lot count of 192 and the development will be required to have three (3) access points. (The main entrance at Hollz Parkway, the PFA (Permanent Fire Access), and the GEE (Gated Emergency Entrance) onto Baker Road). Upon final plat approval of Phase 2, staff will place a hold on 128 lots and will not issue any further Certificate of Occupancies until Conditions # 10 and # 11 are met.
 - c. Phase 3 will have a total of lot count of 128 and the development will be required to have four (4) access points. (The main entrance at Hollz Parkway, the PFA (Permanent Fire Access), the GEE (Gated Emergency Entrance), and the SGE (Secondary Gated Access) at the southern entrance onto Posey Road).
 - d. Phase 4 will have a total lot count of 97 and the development will be required to have five (5) access points. (The main entrance at Hollz Parkway, the PFA (Permanent Fire Access), the GEE (Gated Emergency Entrance), the SGA (Secondary Gated Access), and the TGE (Tertiary Gated Entrance) at the northern entrance onto Posey Road).
 - e. Phase 5 will have a total lot count of 173, and Phase 6 will have a total lot count of 189, bringing the development to completion with a combined total of 964 lots.
 - f. The lot count for Phase 1 shall be permitted to vary $\pm 10\%$ and each subsequent phase lot count shall be permitted to vary $\pm 5\%$. Regardless of the allowed varying of lot count within each phase, the final lot count shall not exceed 964.
24. The applicant shall provide walking trails and sidewalks located in a utility and sidewalk easement maintained by the Homeowners Association (HOA) as outlined in the applicant's Streetscape Section Details.
25. The applicant shall construct a gated emergency access drive along the State Route 34 (SR 34) frontage and connecting to the development. This access drive shall be limited to a right-in/right-out, and shall be designed, permitted, and constructed in accordance with Georgia Department of Transportation (GDOT) requirements.
26. All transportation work shall be designed and constructed in accordance with American Association of Highway and Transportation Officials (AASHTO) and Georgia Department of Transportation (GDOT) standards.
27. Utility easements shall be limited to 14-feet from the 36-foot Access and Utility Easements.
28. The applicant shall obtain a Land Disturbance Permit (LDP) by July 15, 2025. If the applicant fails to do so, the Board may initiate rezoning of the property.

RESULT: Passed (UNANIMOUS)

MOVER: John Reidelbach

SECONDER: Bill McKenzie

AYES: John Reidelbach, Bill McKenzie, Paul Poole, Bob Blackburn, Alphonso Smith

Regular Session

Public Comments Regarding Items On the Agenda - This is also time for anyone that wishes to address the Board regarding cases heard at the Public Hearing conducted by the Board of Zoning Appeals.

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

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

7. Recommend Approval of Petition # VAR 24-10 Filed by Cecil and Jamie Holton Requesting a Variance to Encroach Within the "No Structure Setback" Boundary for Property Located at 1204 Rockaway Road, Senoia - District 1

Zoning Associate Nicole Blackwell presented Petition # VAR 24-10 filed by Cecil and Jamie Holton requesting a variance to encroach within the "No-Structure Setback" boundary on property located at 1204 Rockaway Road, Senoia (Parcel # 166-1286-004) along with a recommendation of approval from the Board of Zoning Appeals. She explained that the property is zoned *RC (Rural Conservation) - RE 2.5 Development* which requires a 75-foot no structure boundary. The applicant wishes to encroach 28-feet into the required setback boundary (from 75-feet to 47-feet) along the southern property line for construction of a 24-feet by 24-feet detached garage.

In response to a question from Commissioner Smith, Assistant Community Development Director Sewell explained that the *RE 2.5 Development* zoning category was adopted in 2006 and has since been deleted from the *Coweta County Code of Ordinances*.

Motion to: **Grant**

The Board voted to grant a 28-feet encroachment (from 75-feet to 47-feet) into the required "No-Structure Setback" boundary on property located at 1204 Rockaway Road, Senoia (Parcel # 166-1286-004) as requested in Petition # VAR 24-10 filed by Cecil and Jamie Holton, subject to the following condition:

1. The proposed detached garage shall not encroach more than 28-feet within the 75-foot "no structure setback" boundary along the southern property line as submitted with the variance application.

RESULT: Passed (UNANIMOUS)

MOVER: Paul Poole

SECONDER: Bob Blackburn

AYES: John Reidelbach, Bill McKenzie, Paul Poole, Bob Blackburn, Alphonso Smith

8. Request to Set a Public Hearing on September 17, 2024 Regarding Proposed Amendments to Appendix A. Zoning and Development, Article 27, Article 28, and Article 29 of the Coweta County Code of Ordinances

Motion to: **Set a Public Hearing**

The Board voted to set a Public Hearing on September 17, 2024 at 6:00 p.m. regarding proposed amendments to *Article 27, Article 28, and Article 29 of the Coweta County Zoning and Development Ordinance*.

RESULT: Passed (UNANIMOUS)

MOVER: John Reidelbach

SECONDER: Bill McKenzie

AYES: John Reidelbach, Bill McKenzie, Paul Poole, Bob Blackburn, Alphonso Smith

Unfinished Business

9. Request Appointments to Various Boards/Authorities

Motion to: **Approve**

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

- Reappoint Ms. Elaine Jordan as the 3rd District representative to the Board of Directors for the Department of Family and Children Services for the term beginning July 1, 2024, and expiring June 30, 2029.
- Reappoint Mr. Kelvin Thompson as the 3rd District representative to the Coweta County Public Facilities Authority for the term beginning June 15, 2024, and expiring June 14, 2027.

RESULT: Passed (UNANIMOUS)

MOVER: John Reidelbach

SECONDER: Bill McKenzie

AYES: John Reidelbach, Bill McKenzie, Paul Poole, Bob Blackburn, Alphonso Smith

New Business

Bids and Contracts

10. Bid Award Associated with the Addition of Turn Lanes on Belk Road (F2024.1) - District 5

Public Works Administrator Handley explained that staff solicited bids for the addition of left and right turn lanes along Belk Road at the future location of Fire Station # 5 with Baldwin Paving Company, Inc. submitting the lowest and best bid in the amount of \$375,370.46.

Motion to: **Approve**

The Board voted to retain Baldwin Paving Company, Inc., on a lowest and best bid basis, to construct the turn lanes along Belk Road (F2024.1) at a total cost of \$375,370.46.

RESULT: Passed (UNANIMOUS)

MOVER: Alphonso Smith

SECONDER: John Reidelbach

AYES: John Reidelbach, Bill McKenzie, Paul Poole, Bob Blackburn, Alphonso Smith

11. Bid Award Associated with the Addition of an Entrance to Leroy Johnson Park (RB23.13) - District 1

Public Works Administrator Handley explained that staff solicited bids for the construction of an additional entrance into Leroy Johnson Park with Piedmont Paving, Inc. submitting the lowest and best bid in the amount of \$206,484.98.

Motion to: **Approve**

The Board voted to retain Piedmont Paving, Inc., on a lowest and best bid basis, to perform construction of a new entrance into the Leroy Johnson Park (RB23.13) at a total cost of \$206,484.98.

RESULT: Passed (UNANIMOUS)

MOVER: Paul Poole

SECONDER: Bill McKenzie

AYES: John Reidelbach, Bill McKenzie, Paul Poole, Bob Blackburn, Alphonso Smith

12. Bid Award Associated with Geotechnical Services for the Future Site of Fire Station # 5

Public Works Director Handley explained that staff solicited proposals for the performance of geotechnical investigations at the County-owned tract on Belk Road that will be the future site of Fire Station # 5. Proposals were obtained from firms that have performed similar investigations for Coweta County on prior projects with Atlas Technical Consultants submitting the lowest and best proposal.

Motion to: **Approve**

The Board voted to retain Atlas Technical Consultants to provide professional geotechnical services at the site of future Fire Station # 5 at a total cost of \$10,810 (SPLOST).

RESULT: Passed (UNANIMOUS)

MOVER: Alphonso Smith

SECONDER: Paul Poole

AYES: John Reidelbach, Bill McKenzie, Paul Poole, Bob Blackburn, Alphonso Smith

13. Request Acceptance of Bids and Execution of Contracts Associated with the Sale of Surplus Properties

Administrator Fouts explained that on May 7, 2024 and June 18, 2024, the Board voted to enter into an Auction Services Agreement with Terry Howe & Associates for the performance of services, to wit: the sale via auction of designated surplus properties. The online auction closed on July 31, 2024. Staff has received the Contract of Sale, as executed by the individuals who placed the highest bid, for each of the respective surplus properties submitted for auction as set forth in the Auction Services Agreement. Upon acceptance of the bids and execution of the contracts of sale, the documentation will be submitted to the closing attorney for preparation of the quitclaim deeds to convey the properties to the purchasers.

Motion to: **Accept, Execute, and Authorize**

The Board voted to accept the highest bids from the online auction for each of the following surplus properties, to execute the contract of sale for the same surplus properties, and to authorize the Chairman to execute the Quit Claim Deeds for said properties upon the preparation and presentation by the closing attorney:

- Parcel # 052B-009
- Parcel # 060-5132-024
- Parcel # 131-6086-005A
- Parcel # G03-0009-001
- Parcel # G03-0009-051

- Parcel # N21-0002-005
- Parcel # N22-0008-001
- Parcel # N24-0001-008
- Parcel # N57C-004E

RESULT: Passed (UNANIMOUS)

MOVER: John Reidelbach

SECONDER: Paul Poole

AYES: John Reidelbach, Bill McKenzie, Paul Poole, Bob Blackburn, Alphonso Smith

Additional Action Items

14. Request Approval to Purchase a Transit Bus Utilizing Transit Reserve Funds

Assistant Administrator Mickle explained that as of June 30, 2023, the transit program had accumulated reserves of approximately \$275,000. This is primarily because of the receipt of CARES Act funding in 2021 that covered 100% of program expenses and reimbursements from the Department of Human Services (DHS) which created a reserve balance. Per Federal Transportation Administration (FTA) guidelines, transit programs should not carry reserves in excess of 50% of federal funding received for the program. For grant year 2024, the transit program is set to receive \$306,684 in 5311 funding through the Georgia Department of Transportation (GDOT). Therefore, the transit program should not have reserves in excess of \$153,000. Staff proposes to purchase a replacement transit bus with the reserve funds and have been working with GDOT to obtain a quote using existing state contracts through the state Department of Administrative Services (DOAS). The estimated cost is \$140,000. Staff requests that the Board approve proceeding with the use of transit reserves to purchase a third replacement bus this year and authorize the County Administrator to execute any related paperwork.

In response to a question from Chairman Reidelbach, Ms. Mickle explained that the reserve funds have to be utilized for the transit program.

Motion to: **Approve**

The Board voted to approve the use of transit reserves to purchase a third replacement bus this year and to authorize the County Administrator to execute any related documents.

RESULT: Passed (UNANIMOUS)

MOVER: Bill McKenzie

SECONDER: Paul Poole

AYES: John Reidelbach, Bill McKenzie, Paul Poole, Bob Blackburn, Alphonso Smith

Supplemental and Non-Agenda Items

15. Request Approval to Temporarily Close Brooke Place for the Purposes of Replacing a Cross Drain Pipe - District 4

Motion to: **Approve**

The Board voted to temporarily close Brooke Place for the purpose of replacing a cross drain pipe.

RESULT: Passed (UNANIMOUS)

MOVER: John Reidelbach

SECONDER: Bill McKenzie

AYES: John Reidelbach, Bill McKenzie, Paul Poole, Bob Blackburn, Alphonso Smith

Public Comments Regarding Items Not on the Agenda – This section is for any public comments regarding items NOT on the agenda. Each speaker (up to 10) will be afforded a maximum of three (3) minutes and 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.

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

Ms. Nichole Bushue, Hammock Way, Newnan expressed appreciation to the Board for extending the time allowed for speakers during the Public Hearing regarding the proposed 2024 millage rates. She encouraged the Board to extend the time anytime there is standing room only, expressed her belief that clapping by the audience causes feedback, and recommended snapping of fingers instead.

Executive Session - In accordance with O.C.G.A. § 50-14-4

There were no issues to be discussed in Executive Session.

Regular Session

Affidavit

Adjournment

Motion to: **Adjourn**

The Board voted to adjourn the meeting.

RESULT: Passed (UNANIMOUS)

MOVER: Bob Blackburn

SECONDER: John Reidelbach

AYES: John Reidelbach, Bill McKenzie, Paul Poole, Bob Blackburn, Alphonso Smith