



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

November 19, 2024

6:00 PM

Commission Chambers
37 Perry Street
Newnan, GA 30263

Coweta County Board of Commissioners

Roll Call/Call to Order

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
Alphonso 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 Session on Tuesday, November 19, 2024.

Commissioner-Elect Jeff Fisher was also in attendance.

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. Request Approval of the Minutes from the Public Hearing/Regular Meeting Session Held on November 5, 2024

Motion to: **Approve**

The Board voted to approve the minutes from the Public Hearing/Regular Meeting Session held on Tuesday, November 5, 2024.

RESULT: Passed (UNANIMOUS)

MOVER: Bob Blackburn

SECONDER: Paul Poole

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

Supplemental and Non-Agenda Items

Motion to: **Approve**

The Board voted to approve the addition of one (1) Non-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)

2. Public Hearing Regarding a New Package Beer and Wine License Filed by Latanda Pharr in Operation of Quik Trip # 1765 Located at 25 Oak Lane, Newnan - District 2

Business License Associate Joy Thompson explained that Ms. Latanda Pharr, license representative and manager of QuikTrip # 1765 located at 25 Oak Lane, Newnan (Parcel # 087B-009), has submitted an application for a 2025 package beer and wine license. A certificate from a Georgia registered land surveyor that confirms compliance with distance requirements as defined in *Section 6-46 of the Coweta County Code of Ordinances*, and demonstrates that the proposed location meets the ordinance has been received. The Business and Alcohol License Division has conducted a comprehensive review of the application and has determined that it is complete and meets all relevant requirements. Additionally, the necessary background checks (GCIC) and fingerprint reports (GBI) for Ms. Pharr and additional members of the corporation have been finalized, confirming the qualifications as stipulated in the *Alcohol Ordinance*. In closing, she recommended that the license not be released to the applicant unless the location is open within six (6) months from the date of approval by the Board and final approval is obtained from the Georgia Department of Revenue (Alcohol License Division), Fire Marshal, Environmental Health, and Community Development (Zoning and Building Divisions).

In response to a question from Commissioner Smith, Ms. Thompson explained that the nearest alcohol treatment center is located 21,000+ feet away from the subject property.

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

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

Motion to: Close the Public Hearing

The Board voted to close the Public Hearing regarding an application for a new package beer and wine license filed by Ms. Latanda Pharr, license representative and manager of QuikTrip # 1765, located at 25 Oak Lane, Newnan (Parcel # 087B-009).

RESULT: Passed (UNANIMOUS)

MOVER: Bob Blackburn

SECONDER: Bill McKenzie

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

Motion to: Grant

The Board voted to grant a new package beer and wine license to Ms. Latanda Pharr, license representative and manager of QuikTrip # 1765 located at 25 Oak Lane, Newnan (Parcel # 087B-009), contingent upon the establishment opening within six (6) months from the date of approval by the Board, and the license representative obtaining approval

from the Georgia Department of Revenue (Alcohol License Division), Fire Marshal, Environmental Health, and Community Development (Zoning and Building Divisions).

RESULT: Passed (UNANIMOUS)

MOVER: Bill McKenzie

SECONDER: John Reidelbach

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

3. Continuation of a Public Hearing Regarding Petition # SUP 24-01 Filed by Arcadia Infrastructure, LLC Requesting to Rezone Property Located at 444 Gary Summers Road, Senoia - District 1

Zoning Associate Nicole Blackwell explained that tonight is a continuation of the Public Hearing from October 15, 2024, regarding Petition # SUP 24-01 filed by Arcadia Infrastructure, LLC (Kathy Kelly) requesting to rezone property located at 444 Gary Summers, Senoia [Parcel # 155-1192-001 (partial)] from *RC (Rural Conservation)* to *RC-SUP (Rural Conservation - Special Use Permit)* for placement of a 195-foot monopole telecommunications tower with an additional 4-foot lightning rod. The Board voted to continue the October 15th Public Hearing in order to allow the applicant time to provide clearer propagation maps and to allow the County's consultant from the Georgia Center for Local Government to be present to field any questions regarding his recommended 170-foot tower with an additional 4-foot lightning rod.

Ms. Blackwell pointed out the location of all the telecommunications towers in Coweta County and the location of Gary Summers Road on a map. She explained that there are thirty-one (31) telecommunications towers, cellular or otherwise, located in unincorporated Coweta County. She provided a chart listing the thirty-one (31) monopole and monopine (a monopole disguised to look like a pine tree) telecommunication towers, and explained that the average height is 154.5 feet. She noted that *Article 6. Section 6B.4.7(c)iii of the Coweta County Code of Ordinances* states "*The maximum permitted total height of a new tower shall be 120-feet above reconstruction ground level, unless it can be proven that such height would prohibit or have the effect of prohibiting the provision of service in the intended service area. The 120-foot maximum permitted height is not as-of-right height, but rather the maximum permitted height, absent proof of the technological need for a greater height.*" She explained that following the October 15th Public Hearing, staff received new propagation maps from the applicant. She also pointed out on various maps the current reliable in-vehicle and in-building coverage on Gary Summers Road with no cell tower, with a 250-foot cell tower, with the proposed 195-foot tower, and with a 170-foot tower. In addition, she noted what the coverage would look like without the surrounding towers at the heights of 250-feet, 195-feet, and 170-feet. She explained that none of staff's proposed nineteen (19) conditions presented at the October 15, 2024 Public Hearing have changed.

In response to questions from Commissioner Smith, Ms. Blackwell explained that the

applicant is requesting to place a 195-foot tower, but the County's consultant is recommending 170-feet plus a 4-foot lighting rod (174-foot total). Of the thirty-one (31) monopole and monopine towers in unincorporated Coweta County, most of the heights are within the 141-feet to 160-foot range with two (2) in the 181-feet to 200-foot range.

In response to questions from Commissioner Smith, Mr. Patton Hahn, applicant representative, explained that with the 195-foot tower, there will still be an area to the east that will not have coverage. T-Mobile may have another site planned for that area in the future because there is a need for coverage there. If the proposed site is moved further east, coverage will degrade to the west.

Mr. Hahn explained that the proposed site is important, is good for the county, and the area needs telecommunication services because propagation maps show a dead-zone in the area. A tower of 195-feet will have a better density of in-building coverage than a 170-foot tower. He noted that the tower is not just for T-Mobile, but for three (3) other carriers (such as AT&T, Verizon, and Dish) which will be co-located lower on the tower than the tenant (T-Mobile). If a 170-foot tower is approved, those carriers will have to be located at 160-feet, 150-feet, and 140-feet, and the report from the County's consultant states that at a height of 150-feet, coverage would be degraded and not be attractive for co-location. If T-Mobile determines it cannot meet its coverage objectives, they will ask to construct another tower in this area. In his opinion, there is not a material difference between a 195-foot tower and 170-foot tower in regard to its appearance, so people who look at it from half a mile away will not be able to see a 25-foot difference. However, T-Mobile and other carriers will see the effect of lowered coverage. In addition, he noted that the proposed tower will not be illuminated with lighting.

In response to questions from the Board, Ms. Blackwell explained that a 195-foot tower also requires a 4-foot lightning rod, bringing the total height to 199-feet. She also explained that the County will be allowed to co-locate on the tower.

In response to a question from Commissioner Smith, Attorney Lee explained that it is a condition of zoning that the County is allowed to co-locate on this tower.

In response to a question from Commissioner McKenzie, Ms. Kathy Kelly, applicant representative, explained that there is a 10-foot separation between co-locating carriers on a tower. She further explained that the tower height was originally designed to be 250-feet to achieve maximum coverage, but after meeting with Community Development staff and the County's consultant, they lowered the proposed height to 195-feet. Other towers located in the area (in municipalities) are all over 200-feet. Nearby towers (unincorporated Coweta County) are all 150-feet and below. According to their radio frequency engineer, the lowest height the tower can be is 173-feet. In addition, the Federal Aviation Administration (FAA) approved a tower height of up to 199-feet and a tower over 200-feet has to be illuminated with lighting. The lower the tower height, the less coverage they will

be able to provide. Lastly, if they have to lower the height of this tower, it will impact other sites.

Chairman Reidelbach explained that, based on Ms. Kelly's comments, it seems that T-Mobile wants the County to comply with their design standards that were projected for the future without bringing it to the attention of Community Development.

Ms. Kelly explained that when the radio frequency engineers design the service area, they look at customer needs, propagation maps, terrain, and many other things. The design is not based on circumventing jurisdictions, but on determining service needs.

Mr. Hahn explained that the position of the T-Mobile engineer is that a RAD center (antenna base height and antenna tip height) of 150-feet indicates a significant degradation of coverage.

In response to a question from Commissioner Smith, Attorney Lee explained that the Telecommunications Act enacted by Congress holds the County to higher standards if the County denies the Special Use Permit. Subsequently, the County would have to prove in court that it had not acted in an arbitrary and capricious manner. In addition, the Act mandates that a tower cannot be denied based on health concerns.

Mr. David Dyer from the Georgia Center for Local Government explained that as the County's consultant, his job is simply to provide substantial written evidence so that the Board can make an informed decision. The primary purpose of this application is to improve in-vehicle service along Gary Summers Road and that was the only information he was given in writing. There is a very minuscule difference in the coverage provided between 195-feet and 170-feet tower heights. They looked at a 1.6-mile radius from the central point of the proposed tower site and determined that the area to the north is primarily heavily forested, and that the tower would not provide much service to the southwest. The evidence the applicant presented indicates that coverage along Gary Summers Road would dramatically improve with a tower of 195-feet. However, there would be an insignificant difference between a 170-feet and a 195-feet tower. To the extreme north, there would be a slight difference in coverage, but it is well outside the Gary Summers Road area. He explained that the applicant presented a very complete application, but his company takes the position that the objective of the application would be met at 170-feet. In closing, he explained that he cannot speak about what will happen in the future or where growth will occur.

In response to questions from the Board, Mr. Dyer explained that the *Coweta County Code of Ordinances* requires room for additional carriers on the tower, there are numerous other factors that contribute to co-locating on the tower (i.e. types of service), and there are various solutions. The real question as far as his company is concerned is whether a 170-feet tower provides essentially the same coverage as 195-feet, and in their opinion it

does. Because the area is so heavily forested, it can be expected that many of those trees will be cut down to accommodate future residential or industrial growth.

In response to a question from Commissioner Smith, Ms. Kelly explained that the effectiveness of the tower increases at 200+ feet and their original preference would have been 250-feet.

Commissioner Smith expressed his belief that cell phone coverage will not decrease in the future and if the technology is available that will serve the community for the next 10–15 years, it would be prudent to do so at this point.

Mr. Anthony Pernell, engineer for T-Mobile, explained that the difference between 195-feet and 170-feet is stronger in-building coverage in the area.

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

The following citizens spoke in opposition to the proposed Special Use Permit (SUP), citing concerns about mud being tracked onto the road during construction of the site, loss of rural character, adverse aesthetic and visual impacts on land, and buildings in the surrounding area; however, both citizens said that if a tower were to be approved, it might as well be at the higher height:

- Mr. Terre Hooks, Gary Summers Road, Senoia
- Mrs. Lora Hooks, Gary Summers Road, Senoia

Administrator Fouts explained that the applicant has exhausted the allotted ten minutes as specified in the rules governing the meeting and has no time remaining for rebuttal.

In response to questions from the Board, Mr. Pernell explained that the yellow crescent on the propagation maps represents in-vehicle coverage and is predicted from a tool they utilize. Typically, foliage and terrain in the area cause the crescent to appear.

Ms. Blackwell explained that the County's stance on communication towers in the ordinance is to protect viewsheds, and she provided simulations from the balloon tests for the tower at 195-feet and 170-feet.

Commissioner McKenzie explained that if better coverage is needed, more companies and the County should be able to use the tower.

Motion to: Close the Public Hearing

The Board voted to close the Public Hearing regarding Petition # SUP 24-01 filed by

Arcadia Infrastructure, LLC requesting to rezone property located at 444 Gary Summers, Senoia [Parcel # 155-1192-001 (partial)] from *RC (Rural Conservation)* to *RC-SUP (Rural Conservation - Special Use Permit)* for construction of a telecommunications tower.

RESULT: Passed (UNANIMOUS)

MOVER: Paul Poole

SECONDER: Bob Blackburn

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

Motion to: Approve a 170-Foot Telecommunications Tower

On motion of Commissioner Poole, seconded by Commissioner Blackburn, failing by a vote of 2 to 3, with Commissioner Poole and Commissioner Blackburn voting in support and Chairman Reidelbach, Commissioner Smith, and Commissioner McKenzie voting in opposition, a motion to approve a Special Use Permit for a 170-foot (plus a 4-foot lighting rod) telecommunications tower on property located at 444 Gary Summers Road, Senoia [Parcel # 155-1192-001 (partial)] was defeated.

RESULT: Failed 2 to 3

MOVER: Paul Poole

SECONDER: Bob Blackburn

AYES: Paul Poole, Bob Blackburn

NAYS: John Reidelbach, Bill McKenzie, Alphonso Smith

Motion to: Approve a 195-Foot Telecommunications Tower

The Board voted to rezone property located at 444 Gary Summers, Senoia [Parcel # 155-1192-001 (partial)] from *RC (Rural Conservation)* to *RC-SUP (Rural Conservation - Special Use Permit)* as requested in Petition # SUP 24-01 filed by Arcadia Infrastructure, LLC, subject to the following conditions:

1. The wireless support structure shall have a finished height of no more than the permitted height above pre-construction grade of one hundred and ninety-five feet (195-feet) plus a four-foot (4-feet) lightning rod, for a total height of one hundred ninety-nine feet (199-feet) for a Monopole wireless support structure, i.e., 195 feet above the existing grade to the top of the lightning rod with an anticipated antenna RAD (radiation center) height of 195 feet. There shall be no berm constructed to increase the height of the base of the facility.
2. Coweta County shall have the right to co-locate County communication equipment on the subject tower provided that the placement of County equipment does not interfere with the tower's equipment or operations.
3. Any site and building lighting installed (except for Federal Aviation Administration required lighting) shall incorporate downcast, full cutoff fixtures to prevent adjacent properties and streets from being affected by glare or direct illumination.
4. The applicant shall submit a predevelopment site plan indicating the buffer plan

- and the grading, drainage, and erosion control for the proposed tower site.
5. The drive accessing the facility must be paved for the first 100-feet from the existing edge of pavement on Gary Summers Road.
 6. The access driveway shall have a curvilinear entrance design as shown on the site plan.
 7. One 9-feet by 18-feet paved parking space must be provided.
 8. An access road turn-around space and parking shall be provided to assure adequate emergency and service access.
 9. A minimum of a 6-feet, black vinyl, chain-link security fence shall enclose the equipment compound.
 10. A 25-feet buffer shall be planted around the perimeter of the equipment compound. The buffer plantings shall meet the requirements under *Appendix A. Zoning and Development, Article 25 of the Coweta County Code of Ordinances*.
 11. The applicant shall have sufficient funds in the escrow account with the County to pay all expenses related to the application review and the issuance of permits.
 12. The applicant shall deliver the required Geotechnical Sub-Surface Soil Investigation Evaluation Report and Foundation Recommendation to the Coweta County Community Development Department prior to the issuance of a building permit.
 13. Once the applicant has met all the conditions of the building permit and all requirements of the governing County Ordinance and a building permit is issued, the applicant must notify the Coweta County Community Development Department if an inspection is required which is not performed by the County. Upon passing the final inspection, a recommendation to issue a Certificate of Completion shall be made.
 14. Prior to Final Inspection, the applicant shall provide to Coweta Director of Community Development a copy of the Contractor's Completion Report detailing that all work performed was completed in compliance with the Construction Drawings and materials as submitted in the application, including compliance with all conditions of approval, and certified as being truthful and accurate by an individual authorized to do so.
 15. A final inspection by a structural engineer licensed in the state of Georgia shall be submitted to the building official prior to the building department's final inspection of the completed facility.
 16. Any commercial attachment to the tower shall not be permitted until the Certificate of Completion is issued.
 17. Commercial service shall not be permitted until the Certificate of Completion is issued.
 18. The annual renewal of a valid Certificate of Liability Insurance and a Tower Removal Bond shall be provided to the Coweta County Community Development Department annually.
 19. The wireless support structure and wireless facility shall be built, activated, and providing service no later than twelve (12) months from the date of the Special Use Permit unless an extension is granted by the Coweta County Community

Development Department.

RESULT: Passed (3 to 2)

MOVER: Alphonso Smith

SECONDER: Bill McKenzie

AYES: John Reidelbach, Bill McKenzie, Alphonso Smith

NAYS: Paul Poole, Bob Blackburn

4. Continuation of a Public Hearing Regarding Petition # REZ 24-06 Filed by LDO Coweta, LLC Requesting to Rezone Property Located off Elzie Johnson Road Crossing through Rock Quarry Owned by Vulcan Lands, LLC - District 4

Zoning Manager Lisa Eschman explained that a Public Hearing was held July 16, 2024, and continued until September 5, 2024 regarding Petition # REZ 24-06 filed by LDO Coweta, LLC. At the Public Hearing held on September 5, 2024, the applicant requested that the Board continue the Public Hearing until the November 19, 2024, meeting in order to work through unresolved traffic concerns with the Public Works Department and the Georgia Department of Transportation (GDOT). She further explained that the applicant is requesting to rezone 3.867± acres located off Elzie Johnson Road crossing through the rock quarry property owned by Vulcan Lands, LLC (Parcel # 119-6043-001) from *RC (Rural Conservation)* to *M (Industrial)* for the development of a 100-foot access road. The access road will provide ingress/egress to an adjoining 249.91± industrial tract located to the north also owned by the applicant. The industrial tract was zoned *M (Industrial)* in October 1989 and the conceptual site plan shows a total of seven (7) buildings ranging in size from 45,000 square feet to 1,000,000 square feet. Staff originally recommended fifteen (15) conditions for the Board's consideration. However, in order to help rectify traffic concerns, some modifications have been made to those original conditions for the Board to consider tonight. She briefly reviewed modifications to previous Conditions # 2, # 3, # 6, and # 9, elimination of previous Condition # 8 (based on a new condition # 6), and the addition of two (2) conditions as proffered by the applicant.

Chairman Reidelbach noted that the 100-foot undisturbed buffer and the 15-foot berm are to protect the line of sight for the adjacent property owner. In addition, he explained that he would like the Board to set construction traffic operating hours on Bagley Road as Monday through Friday from 7:00 a.m. to 6:00 p.m. until the primary entrance from Elzie Johnson Road has progressed to a point to carry development traffic.

In response to questions from the Board, Public Works Administrator Handley explained that staff did not agree that the addition of 3,800 trips per day as originally proposed for the development would not impact SR 154 as indicated in the traffic study. When this issue was discussed at the original Public Hearing for the development, the Board also had those same concerns. At the Board's direction, staff approached GDOT with the applicants' coordination and assistance and asked for potential improvements to SR 154 that could

mitigate the impact this development would have and also to help improve some of the congestion issues that currently exist. If the property proceeds as a warehouse or distribution use, one (1) additional through lane in each direction would be added from I-85 to Elzie Johnson Road. The additional through lanes would be accomplished by taking some of the existing decel lanes in place along SR 154 and converting them to through lanes. Some additional construction would be necessary to make the through lanes connect. Since that time and within the last few weeks, the applicant has suggested an alternative use for the property that would not generate the same traffic counts predicted by the traffic study and has anticipated and requested consideration not to widen SR 154 if that change is made. He explained that revised Condition # 6 considers a couple of different scenarios. If the property is not used for warehouse distribution and if the numbers in traffic predicted in the traffic study do occur, then the applicants' contribution would increase from \$215,000 to \$550,000. The \$215,000 is just a pro rata share of the \$550,000 based on 1,500 Average Daily Traffic (ADT) compared to 3,800 ADT. According to Mr. Handley, the trip generation numbers for a particular use are fairly accurate, but the calculations are complicated because of unknown future growth.

Commissioner Poole explained that he lives off SR 154 (further south and east of I-85), and that he currently cannot get out of his driveway because of heavy traffic. The last traffic study showed that there are 13,000 vehicles daily on SR 154 and 11,000 on Lower Fayetteville Road.

Mr. Baxter Russell, applicant representative, explained that the request is to rezone 3.867± acres located off Elzie Johnson Road to build an access drive to their adjoining property. They are also requesting approval of a buffer variance (Petition # VAR 23-36) which was recommended for approval by the Board of Zoning Appeals. Since the Public Hearings in July and September, he has continued to work on conditions with staff and GDOT, specifically to address traffic concerns along SR 154. The applicant is amenable to the revised list of conditions as well as the addition of days and hours of construction traffic. He further explained that based on a warehouse distribution use or a use that generated over 1,500 trips, the applicant would be required to widen SR 154 between the off ramps of I-85 to Elzie Johnson Road to provide two (2) additional lanes of traffic. Other traffic improvements will also be required related to the improvement and realignment of Elzie Johnson Road. The applicant has also proffered two (2) additional conditions related to their neighbor, including an additional 100-foot undisturbed buffer and a 15-foot high berm. He explained that the applicant has worked with staff to reduce impacts based on use of the property. Without the access road, the applicant would be unable to use the adjacent property, and would be severely restricted and damaged. In closing, he explained that the access road will promote and benefit the interests of the County and its citizens, will not endanger or harm the public welfare or public good, and requested the Board approve rezoning and variance requests.

Chairman Reidelbach called for any comments in support of or in opposition to the

proposed rezoning. There were none.

Motion to: Close the Public Hearing

The Board voted to close the Public Hearing regarding Petition # REZ 24-06 filed by LDO Coweta, LLC requesting to rezone property located at the end of Elzie Johnson Road crossing through the rock quarry owned by Vulcan Lands, LLC (Parcel # 119-6043-001) from *RC (Rural Conservation)* to *M (Industrial)*.

RESULT: Passed (UNANIMOUS)

MOVER: John Reidelbach

SECONDER: Bob Blackburn

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

Motion to: Approve

The Board voted to rezone 3.867± acres located at the end of Elzie Johnson Road crossing through the rock quarry owned by Vulcan Lands, LLC (Parcel # 119-6043-001) from *RC (Rural Conservation)* to *M (Industrial)*, as requested in Petition # REZ 24-06 filed by LDO Coweta, LLC, subject to the following conditions:

1. All Coweta County Code of Ordinances shall be adhered to unless a variance is granted through the normal review process.
2. The existing driveway off Bagley Road shall not be used for any ingress/egress to and from the industrial development. Construction traffic for industrial development shall be exempt. Construction traffic will be allowed off Bagley Road on Monday through Friday from 7:00 a.m. to 6:00 p.m. until the primary entrance from Elzie Johnson Road has progressed to a point to carry development traffic.
3. No truck traffic shall access the site from US 29 or leave the site towards US 29 via the existing Bagley Road. Construction traffic for industrial development shall be exempt. Construction traffic will be allowed off Bagley Road on Monday through Friday from 7:00 a.m. to 6:00 p.m. until the primary entrance from Elzie Johnson Road has progressed to a point to carry development traffic.
4. Elzie Johnson Road shall be rehabilitated or reconstructed based on an engineered pavement design.
5. Elzie Johnson Road shall be realigned at its intersection with SR 154 and the intersection signalized and modified with left and right turn lanes. This work shall be designed and constructed by the applicant. The intersection shall be designed with the consideration of the future alignment of Coweta Industrial Parkway.
6. The Development of Regional Impact (DRI) traffic study for the proposed development was prepared based upon utilization of the property as warehouse/distribution, which would generate 3,843 new trips daily to and from the site. Use of the property as warehouse/distribution will require the widening of SR 154, by the applicant, from I-85 to Elzie Johnson Road to provide two (2)

through lanes of traffic in each direction on SR 154, in accordance with the requirements of the Georgia Department of Transportation (GDOT). Should the property be developed for a use that would generate less than 1,500 daily trips per 24-hour period at full build-out, then the previously stated requirement to widen SR 154 will not apply, but the applicant would be required only to contribute \$215,000 to Coweta County to be used toward a project to align Coweta Industrial Boulevard with the relocated intersection of Elzie Johnson Road with SR 154. Said payment would be required prior to any certificates of occupancy beyond 1,080,000 square feet. No certificate(s) of occupancy for any building area in excess of 1,080,000 square feet will be issued if the use of portions of the property is warehouse/distribution until such time that the widening of SR 154 is completed as detailed in this condition.

7. A right-turn lane shall be added on Elzie Johnson Road at the development on the southeastern corner of Elzie Johnson Road and SR 154.
8. The applicant shall comply with conditions noted in Attachment A and B from the DRI notice of decision with the exception of Intersection # 1: SR 14/US 29 at Bagley Road, since Driveway 2 has been eliminated as access by the applicant.
9. The transportation improvements required by conditions # 4 and # 5 and the new roadway access to the development property shall be completed and opened to traffic prior to the issuance of any certificates of occupancy within the development.
10. All work within the right-of-way shall meet current American Association of Highway and Transportation Officials (AASHTO), County and Georgia Department of Transportation (GDOT) standards.
11. 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.
12. 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.
13. The permit applicant shall provide all necessary engineering data and certification as required by *Appendix A. Zoning and Development, Article 22* should it be necessary to construct fill material in the regulatory Federal Emergency Management Agency (FEMA)and Dewberry Study Floodplains.
14. Any site and building lighting installed shall incorporate downcast, full cutoff fixtures to prevent adjacent properties and streets from being affected by glare or direct illumination.
15. An additional 100-foot undisturbed buffer shall be added adjacent to the industrial development site along the property lines of Parcel # 119-6044-004. This conditioned buffer is in addition to the 100-feet required by ordinance. The resulting undisturbed buffer will be 200-feet.

16. Prior to vertical construction of Building 400 as shown on the conceptual site plan, the applicant will construct a 15-foot high berm on the western side of the building to further screen the building. The berm will be supplemented with evergreen plantings.

RESULT: Passed (UNANIMOUS)

MOVER: John Reidelbach

SECONDER: Bob Blackburn

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

5. Public Hearing Regarding the Proposed Abandonment of a Portion of the Right-of-Way at the End of East Kimble Street, Newnan - District 2

Public Works Administrator Handley explained that the pavement on East Kimble Street in Newnan does not extend all the way to the end of the right-of-way owned by the County. The builder or developer of a lot of record that exists beyond the end pavement was offered the option to either extend the street or to obtain permission from the property owner at the end of the right-of-way to agree with the abandonment of the right-of-way. Staff received an agreement from the property owner at the end of the right-of-way for the abandonment of the right-of-way on East Kimble Street. If approved, the developer/builder will then construct their driveway from their lot to connect to the end of the existing pavement.

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

Motion to: **Close the Public Hearing**

The Board voted to close the Public Hearing regarding a proposed abandonment of a portion of the right-of-way (ROW) at the end of East Kimble Street, Newnan.

RESULT: Passed (UNANIMOUS)

MOVER: Bill McKenzie

SECONDER: Bob Blackburn

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

Motion to: **Abandon**

The Board voted to abandon a portion of the right-of-way located at the end of East Kimble Street, Newnan along the frontage of Lot 61.

RESULT: Passed (UNANIMOUS)

MOVER: Bill McKenzie

SECONDER: Alphonso Smith

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.

- Ms. Janice Barton (applicant) spoke in support of Petition # VAR 24-18 filed by Lichty Building Group, Inc. requesting a guest house variance for property located at 517 Jim Starr Road, Newnan (agenda item # 7) citing her desire to expand a guest cottage on her property 280-feet for a laundry room and pantry for a family member to permanently live there. A letter of approval was also obtained from her nearby neighbor.
- Mr. David Pruitt, Shamrock Way, Newnan, spoke in opposition to Petition # AN 05-24 filed by Steven L. Jones proposing to annex property located off GA Highway 16, Lunsford Road, and Sidney Pope Road into the City of Newnan (agenda item # 9) citing concerns regarding drainage of water into the property he believes to be a flood zone, negative effects on the additional capacity of water and waste water management, increased traffic, added stress on the school system, and viewsheds of the subdivision.
- Mr. Mark Woods (applicant) spoke in support of a request for acceptance of right-of-way (ROW) located at Clemit Harris Place (agenda item # 10) and a request for clarification of conditions # 3 and # 6 related to previous Petition # REZ 22-25 associated with property located off Sweeper Smith Road, Clemit Harris Road, and Welcome Road (agenda item# 11). He explained that all trailers/mobile homes have been removed from the mobile home park and construction of easements has been completed.
- Mr. Luke Thompson (applicant) spoke in support of a request for acceptance of right-of-way (ROW) located at Clemit Harris Place (agenda item # 10) and a request for clarification of conditions # 3 and # 6 related to previous Petition # REZ 22-25 associated with property located off Sweeper Smith Road, Clemit Harris Road, and Welcome Road (agenda item# 11). He explained all requirements from the County have been met.
- Mr. Michael Miller (applicant representative) spoke in support of Petition # AN 05-24 filed by Steven L. Jones proposing to annex property located off GA Highway 16, Lunsford Road, and Sidney Pope Road into the City of Newnan (agenda item # 9) citing his belief that the proposed development could be a win-win for the City, the

County, and citizens. He explained that the applicants desire to be good neighbors, and the intent is to keep lines of communication open. The development will provide much needed housing on the west side and will be constructed in a manner to benefit the City, the County, and the citizens. He requested that the County work with the City through the Development of Regional Impact (DRI) process.

- Mr. Rich Atkinson (applicant representative), spoke in support of Petition # AN 05-24 filed by Steven L. Jones proposing to annex property located off GA Highway 16, Lunsford Road, and Sidney Pope Road into the City of Newnan (agenda item # 9) explaining that although the County may have concerns with traffic, density, and economic impact, the project must go through a State mandated process called the DRI, with all stakeholders including the City, the County, the Georgia Regional Transportation Authority (GRTA), the Georgia Department of Transportation (GDOT), and other municipalities. Through the DRI, GRTA will dictate any traffic related issues including any required improvements along Hwy 16 at the project entrance and Lunsford Road. The staff report specifically mentions Sidney Pope Road and Lunsford Road. Sidney Pope Road will become a city street and be closed off except for emergency access. Lunsford Road could potentially become a city street also, resulting in no infrastructure costs for the County. The project was designed so that the density is consistent with the County's 2041 Comp Plan, and the properties to be developed lie within the Growth Priority area according to the Comp Plan. The Land Development Guidance System limits density in the Growth Priority area to 0.625 dwelling units per acre; however, through the Plan Development Project (PDP) overlay zoning district, four (4) dwelling units are possible for land lying adjacent to municipalities. The subject property is located adjacent to a municipality, and they are proposing 3.2 units per acre. Additionally, they commissioned an economic impact analysis, which is not complete yet, but the City will bear the costs of public services such as police and fire. The study indicates that if the project is built in the City versus the County, it will generate positive cash flow to the County through additional tax revenue with little if any incremental expenses. The benefit is estimated to be \$4 million cumulative over the first ten (10) years and continuing to over \$900,000 per year thereafter.

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

6. Decision Regarding Petition # VAR 23-36 Filed by LDO Coweta, LLC Requesting a Buffer Variance for Property Located at 251 Elzie Johnson Road, Newnan - District 4

Zoning Manager Eschman explained that Petition # VAR 23-36 was filed by LDO Coweta, LLC requesting a buffer variance for 3.867± acres located within the Vulcan Lands, Inc.

rock quarry operation. Earlier tonight, the Board voted to rezone the subject property from *RC (Rural Conservation)* to *M (Industrial)* for a 100-foot access road (Petition # REZ 24-06). The applicant has filed a variance request to eliminate the 100-foot required buffer (from 100-feet to 0-feet) for the access road. Since the rock quarry operation is a grandfathered use under the *RC (Rural Conservation)* zoning district, a 100-foot buffer is required along the access road where it abuts *Industrial (M)* zoning. In closing, she explained that at the Public Hearing held on February 29, 2024, the Board of Zoning Appeals recommended approval of the buffer variance, and she noted that no one spoke in support or opposition to the variance request.

Motion to: **Grant**

The Board voted to grant a 100-foot buffer reduction (from 100-feet to 0-feet) for 3.867± acres located at 251 Elzie Johnson Road, Newnan (Parcel # 119-6043-001) as requested in Petition # VAR 23-06 filed by LDO Coweta, LLC.

RESULT: Passed (UNANIMOUS)

MOVER: John Reidelbach

SECONDER: Alphonso Smith

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

7. Recommend Approval of Petition # VAR 24-18 Filed by Lichty Building Group, Inc. Requesting a Guest House Variance for Property Located at 517 Jim Starr Road, Newnan - District 3

Zoning Associate Blackwell presented Petition # VAR 24-18 filed by Lichty Building Group, Inc. requesting a guest house variance for property located at 517 Jim Starr Road, Newnan (Parcel # 070-5248-001) along with a recommendation of approval from the Board of Zoning Appeals. She explained that the applicant is requesting to increase the proposed guest house from the existing 1,046 square feet to 1,334 square feet. In closing, she highlighted the factors considered by staff during the application process and presented four (4) conditions for consideration by the Board should they choose to grant the variance request.

Motion to: **Grant**

The Board voted to grant a 288 square feet increase (from the existing 1,046 square feet to 1,334 square feet) for the guest house located at 517 Jim Starr Road, Newnan (Parcel # 070-5248-001) as requested in Petition # VAR 24-18 filed by Lichty Building Group, Inc., subject to the following conditions:

1. The guest house shall not exceed 1,334 square feet.
2. The applicant shall comply with all other *Guest House Ordinance* requirements under *Appendix A. Zoning and Development Article 7, Section 72* of the *Coweta*

County Code of Ordinances.

3. The applicant understands that the guest house shall be maintained according to the ordinance/deed and shall not be established as an independent residence outside the *Guest House Ordinance*.
4. The Community Development Department shall review and approve the Deed of Use Restriction regarding the guest house prior to recording with the Clerk of Superior Court.

RESULT: Passed (UNANIMOUS)

MOVER: Bob Blackburn

SECONDER: Paul Poole

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

8. Recommendation Regarding Petition # AN 05-24 filed by Triple Oak Homes, LLC and Charles Davis Proposing to Annex Property Located at 6173 Hwy 54 into the Town of Turin - District 1

Zoning Manager Eschman presented Petition # AN 05-24 filed by Triple Oak Homes, LLC and Charles Davis proposing to annex property located at 6173 Hwy 54 (Parcel # 136-1116-002) into the Town of Turin. She explained that the property contains 4.33± acres currently zoned *RC (Rural Conservation)*, and reviewed the location of surrounding properties. She further explained that the applicant is requesting the Town of Turin's *GC (General Commercial)* zoning district which allows for a very broad range of uses (including but not limited to building material sales and storage, contractor equipment storage, convenience stores, flea markets, gas stations with automobile service, mini-warehouses, recycling centers, and repair services for heavy equipment). She noted that a 50-foot easement located at the rear of the site is not included in the annexation request. In accordance with *O.C.G.A. § 36-36-113(d)*, a County's objection is only valid if the annexation results in:

- (1) (A) A substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use; or
- (1)(B) A use which significantly increases the net cost of infrastructure or significantly diminishes the value or useful life of a capital outlay project, as such term is defined in *O.C.G.A. § 48-8-110*, which is furnished by the County to the area to be annexed; and
- (2) Authorize or result in a land use that differs substantially from the existing uses suggested for the property by the County's Comprehensive Land Use Plan or permitted for the property pursuant to the County's Zoning Ordinance or its land use ordinances.

Ms. Eschman explained that after review, staff determined that the proposed *GC (General Commercial)* zoning district does constitute a change to a significantly different allowable use (commercial instead of residential) and differs substantially from the uses suggested for the property under the Priority Development Character Area mentioned in Coweta County's Comprehensive Plan. Based on review from several staff divisions and

information available, and considering the limitations provided by state law, the proposal appears to be eligible for consideration of an objection based on *O.C.G.A. § 36-36-113 (d)(1)(A) and O.C.G.A. § 36-36-113 (d)(2)*.

In response to questions from the Board, Ms. Eschman explained that the entrance to the property will be from a shared driveway located off SR 54, that also serves an adjacent property.

Chairman Reidelbach explained that the Town of Turin's *GC (General Commercial)* zoning district allows for a broad variety of uses. Depending on how the property is ultimately developed, it may have a significant impact on traffic.

Commissioner Poole explained that based upon the staff report, he would like to object to the annexation and work with the Town of Turin and the applicant on an Intergovernmental Agreement (IGA).

Motion to: File an Intent to Object

The Board voted to file an intent to object to a proposed annexation of 4.33± acres located at 6173 Hwy 54 (Parcel # 136-1116-002) into the Town of Turin as filed by Triple Oak Homes, LLC and Charles Davis in Petition # AN 05-24 based upon the following, and to work with the Town of Turin on an Intergovernmental Agreement (IGA).

1. A substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use [*O.C.G.A. § 36-36-113 (d)(1)(A)*]; or
2. Differs substantially from the existing uses suggested for the property or permitted for the property pursuant to the County's Zoning Ordinance or Land Use Ordinances because of the increased density [*O.C.G.A. § 36-36-113 (d)(2)*].

RESULT: Passed (UNANIMOUS)

MOVER: Paul Poole

SECONDER: John Reidelbach

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

9. Recommendation Regarding Petition # AN 04-24 Filed by Steven L. Jones Proposing to Annex Property Located off GA Highway 16, Lunsford Road, and Sidney Pope Road into the City of Newnan - District 3

Zoning Associate Blackwell presented Petition # AN 05-24 filed by Steven L. Jones proposing to annex property located off GA Highway 16, Lunsford Road, and Sidney Pope Road (Parcels # 061-5069-002A, # 061-5069-002B, # 061-5069-003, # 061-5069-013, # 061-5069-014, # 061-5093-002, # 061-5093-007, # 061-5093-008, # 061-5093-009, and # 061-5093-010) into the City of Newnan. She explained that the property consists of

267.75± acres currently zoned *RC (Rural Conservation)* and *M (Industrial)*. The applicant is requesting the City of Newnan's *PDR (Planned Development Residential)* zoning district for a subdivision containing 669 single-family homes, *RS-20 (Suburban Residential Single-Family Dwelling District - Low Density)* for five (5) existing single-family homes, and *ILT (Light Industrial District)* for a 130,000 square foot employment building. In accordance with *O.C.G.A. § 36-36-113(d)*, a County's objection is only valid if the annexation results in:

- (1) (A) A substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use; or
- (1)(B) A use which significantly increases the net cost of infrastructure or significantly diminishes the value or useful life of a capital outlay project, as such term is defined in *O.C.G.A. § 48-8-110*, which is furnished by the County to the area to be annexed; and
- (2) Authorize or result in a land use that differs substantially from the existing uses suggested for the property by the County's Comprehensive Land Use Plan or permitted for the property pursuant to the County's Zoning Ordinance or its land use ordinances.

Based on the information provided, it appears that the proposed *PDR (Planned Development Residential)* zoning would be a substantial change in the intensity of the allowable uses since the current zoning would limit the residential development to 0.625 units per acre. Also, based on review by several staff divisions of the information available, and considering limitations provided by state law, this proposal appears to be eligible for consideration of an objection by the Board because of a substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use [*O.C.G.A. 36-36-113(d)(1)(A)*], a use which significantly increases the net cost of infrastructure or significantly diminishes the value or useful life of a capital outlay project, as such term is defined in *Code Section 48-4-110*, which is furnished by the county to the area to be annexed; and [*O.C.G.A. 36-36-113(d)(1)(B)*], and differs substantially from the existing uses suggested for the property or permitted for the property pursuant to the county's zoning ordinance or its land use ordinances due to the substantial increase in density [*O.C.G.A. 36-36-113(d)(2)*].

Motion to: File an Intent to Object

The Board voted to file an intent to object to a proposed annexation of 267.75± acres located at off GA Highway 16, Lunsford Road, and Sidney Pope Road (Parcels # 061-5069-002A, # 061-5069-002B, # 061-5069-003, # 061-5069-013, # 061-5069-014, # 061-5093-002, # 061-5093-007, # 061-5093-008, # 061-5093-009, and # 061-5093-010) into the City of Newnan as filed by Steven L. Jones in Petition # AN 04-24 based upon the following:

1. A substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use [*O.C.G.A. 36-36-113(d)(1)(A)*];
2. A use which significantly diminishes the value or useful life of a capital outlay project, as such term is defined in *O.C.G.A. § 48-8-110*, which is furnished by the County to the area to be annexed [*O.C.G.A. 36-36-113(d)(1)(B)*]; and

3. Differs substantially from the existing uses suggested for the property or permitted for the property pursuant to the County's Zoning Ordinance or Land Use Ordinances because of the increased density [*O.C.G.A. 36-36-113(d)(2)*].

RESULT: Passed (UNANIMOUS)

MOVER: John Reidelbach

SECONDER: Paul Poole

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

10. Request Acceptance of Right-of-Way Located at Clemit Harris Place - District 2

Administrator Fouts explained that C. Harris Holdings, LLC has submitted a warranty deed for dedication of the right-of-way located at the re-development of property located on Clemit Harris Road. The applicants are requesting that the Board accept additional right-of-way on Clemit Harris Road and Harris Drive and the developer has paid the required \$30,000 contribution for road repairs as a condition of zoning (see condition # 9 of Petition # REZ 22-05 approved on October 4, 2022).

Motion to: **Accept**

The Board voted to accept the establishment of 50-feet of right-of-way (ROW) for Clemit Harris Road and Harris Drive located at the redeveloped property known as Clemit Harris Place.

RESULT: Passed (UNANIMOUS)

MOVER: Bill McKenzie

SECONDER: Bob Blackburn

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

11. Request Clarification of Conditions # 3 and # 6 Associated with Previous Petition # REZ 22-25 Filed by Mark Woods and C. Harris Holdings, LLC for Property Located off Sweeper Smith Road, Clemit Harris Road, and Welcome Road - District 2

Community Development Director Jon Amason explained that following a Public Hearing on October 4, 2022, the Board voted to rezone 37.16± acres located off Sweeper Smith Road, Clemit Harris Road, and Welcome to Arncro Road, Newnan (Parcels # 047-5096-006, # 047A-102A, and # 047A-110) from *RC (Rural Conservation)* to *RC-SUP (Rural Conservation with Special Use Permit)* as requested in Petition # REZ 22-25 filed by Mark Woods and C. Harris Holdings, LLC subject to ten (10) conditions. Conditions # 3 and # 6 read as follows:

3. The subject property shall be limited to thirty-nine (39) site-built single-family homes with proffered dimensions/setbacks/drives/easements.
6. The two (2) private easements depicted on the "Harris MHP Concept Plan" must be

constructed to the standards of *Article 24, Section 246.2.3(2)(e)(I) Standards for private ingress/egress/utility easements* of the *Coweta County Zoning and Development Ordinance*.

Mr. Amason further explained that Condition # 3 is associated with approval of the developer's conceptual site plan with easements as proffered and Condition # 6 requires the applicant to follow the County's *Easement Ordinance*. Currently, the *Coweta County Code of Ordinances* only allows for three (3) homes on one (1) private easement; however, the easement as proffered serves six (6) lots, which is contrary to the County's ordinance. Staff is requesting that the Board consider allowing two (2) separate 30-foot easements each serving three (3) lots, instead of a 50-foot easement serving the six (6) lots, for this case only.

In response to a question Chairman Reidelbach, Mr. Amason explained that he does not think staff's recommendation would affect the development site plan. However, an easement deed would need to be recorded to change to two (2) separate easements. Five (5) feet on each side of the driveway currently constructed by the applicant will be utilized to construct the easements. The change would also need to be reflected on the final plat and maintenance deeds.

In response to a question from Chairman Reidelbach, Mr. Mark Woods (applicant) explained that the change would not affect the roads they have currently constructed, but the legal description would have to be updated and the final plat changed.

Motion to: **Approve**

The Board voted to allow two (2) stacked 30-foot easements to serve no more than three (3) lots per easement (instead of a 50-foot easement), and to allow thirty-nine (39) site-built single-family homes as proffered on the "Harris MHP Concept Plan" associated with previous Petition # REZ 22-25 filed by Mark Woods and C. Harris Holdings, LLC for property located off Sweeper Smith Road, Clemit Harris Road, and Welcome Road (Parcels # 047-5096-006, # 047A-102A, and # 047A-110).

RESULT: Passed (UNANIMOUS)

MOVER: Bill McKenzie

SECONDER: Bob Blackburn

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

Unfinished Business

12. Request Appointments to Various Boards/Authorities

No action was taken by the Board regarding appointments to various boards/authorities.

New Business

Bids and Contracts

13. Request Approval to Purchase Wetland Mitigation Credits for the Southwest Connector Project

Public Works Administrator Handley explained that the Southwest Connector will be a new roadway that will begin at the intersection of Corinth Road and Millard Farmer Road and extend from there in a southeasterly direction with the first phase ending at the south side of the Coweta County Fairgrounds. The future second phase of the project will continue from the Fairgrounds, toward the east, crossing the CSX Railroad and ending at the intersection of US 29 and SR 16. The first phase of the project will cross two (2) small streams and will impact a portion of two (2) other streams as well as a small wetland area, which will require the County to obtain a permit from the US Army Corps of Engineers. As a condition of permit issuance, the Corps requires that the permittee purchase mitigation credits for impacts to any streams and wetlands caused by a project. Wetland and stream mitigation credits are sold by firms that purchase and restore properties containing previously impacted areas of streams and wetlands. The cost of those restoration efforts is recouped by the firm through the sale of the mitigation credits. At this time, staff has found a source for the purchase of the wetland credits but has not been able to find the total number of stream credits that are required. The wetlands credits will be purchased from Soque River Mitigation Bank through Ecogenic, LLC at a total cost of \$410,000.00.

Motion to: **Approve**

The Board voted to approve the purchase of wetland credits from Soque River Mitigation Bank through EcoGenic, LLC at a total cost of \$410,000 (SPLOST) for the Southwest Connector Project.

RESULT: Passed (UNANIMOUS)

MOVER: Alphonso Smith

SECONDER: Bill McKenzie

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

14. Request Approval/Execution of Final Reconciliation Change Order # 2 Associated with the Coweta County Sheriff's Office Jail Expansion - District 5

Assistant Administrator Mickle explained that staff is in receipt of the Final Reconciliation

Change Order # 2 associated with the Coweta County Sheriff's Office Jail Expansion project. New South Construction's original contract sum was a guaranteed maximum price (GMP) of \$36,238,159.00. Included in the final Change Order is a credit in the amount of \$691,256.26 for unused allowances, bringing the final contract total to \$35,546,902.74. She noted that the total project cost was approximately \$40.6 million, bond proceeds (including related interest income) totaled approximately \$36.8 million, and a little over \$3 million was moved from the General Fund Balance to cover the difference.

Motion to: **Execute**

The Board voted to execute Final Reconciliation Change Order # 2 with New South Construction associated with the Coweta County Jail Expansion project, bringing the final contract total from \$36,238,159 to \$35,546,902.

RESULT: Passed (UNANIMOUS)

MOVER: Bill McKenzie

SECONDER: Bob Blackburn

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

15. 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 to perform auction services associated with designated surplus properties. Five (5) properties from the July auction (ended July 31, 2024) did not conclude in final sale and were consequently resubmitted for auction (Parcels # 048-5031-009C; # G03-0009-001; # G03-0009-051; # N22-0006-006; and # 124-1055-032). The second online auction closed on November 7, 2024, and staff has received the Contracts of Sale from Terry Howe & Associates, as executed by the individuals who placed the highest bid, for each of the remaining surplus properties submitted for auction 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 Quit Claim Deeds to convey the properties to the purchasers.

Motion to: **Accept**

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

- Parcel # 048-5031-009C

- Parcel # G03-0009-001
- Parcel # G03-0009-051
- Parcel # N22-0006-006
- Parcel # 124-1055-032

RESULT: Passed (UNANIMOUS)

MOVER: John Reidelbach

SECONDER: Paul Poole

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

16. Request Approval/Execution of a Fiber Lease Agreement with WideOpenWest (WOW!)

Assistant Administrator Mickle explained that WideOpenWest (WOW!) is a local Internet Service Provider (ISP) that provides leased dark fiber optic cable for IT network connectivity between numerous County facilities and departments. WOW! has provided a 36-month fiber lease agreement that outlines existing locations of dark fiber services, distances between the connections, and the cost per connection.

Motion to: **Execute**

The Board voted to execute a Fiber Lease Agreement with WideOpenWest (WOW!) to provide dark fiber optic cable for Information Technology (IT) connectivity between numerous County facilities and departments.

RESULT: Passed (UNANIMOUS)

MOVER: Bob Blackburn

SECONDER: Paul Poole

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

17. Request Approval/Execution of the Annual Equitable Sharing Agreement and Affidavit for the Sheriff's Office

Administrator Fouts explained that the Department of Justice Asset Forfeiture Program is a nationwide law enforcement initiative that removes the tools of crime from criminal organizations, deprives wrongdoers of the proceeds of their crimes, recovers property that may be used to compensate victims, and deters crime. Equitable sharing further enhances this law enforcement objective by fostering cooperation among federal, state, and local law enforcement agencies. Federal law authorizes the Attorney General to share federally forfeited property with participating state and local law enforcement agencies. Any state or local law enforcement agency that directly participates in an investigation or prosecution that results in a federal forfeiture may request an equitable share of the net proceeds of the forfeiture. He further explained that the Coweta County Sheriff's Office has continued its participation in this program for fiscal year 2024 (ending on September

30, 2024), and has completed the Federal Equitable Sharing Agreement and Certification Report. The Sheriff's Office is requesting execution of the agreement and affidavit by the Board.

Motion to: **Execute**

The Board voted to execute the annual Federal Equitable Sharing Agreement and Affidavit for the Coweta County Sheriff's Office.

RESULT: Passed (UNANIMOUS)

MOVER: Bill McKenzie

SECONDER: Bob Blackburn

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

Additional Action Items

18. Request Approval to Submit a Traffic Signal Permit Application to the Georgia Department of Transportation for SR 154 and Elzie Johnson Road, Newnan - District 4

Public Works Administrator Handley explained that the Georgia Department of Transportation (GDOT) is reviewing traffic signal plans for the intersection of SR 154 and Elzie Johnson Road. GDOT requires that local governments approve permit applications for signals located within their jurisdiction and agree to pay for the monthly power costs for the proposed signal.

Motion to: **Approve**

The Board voted to approve submission of an application to the Georgia Department of Transportation (GDOT) for a traffic signal at the intersection of SR 154 and Elzie Johnson Road, Newnan.

RESULT: Passed (UNANIMOUS)

MOVER: Alphonso Smith

SECONDER: Bill McKenzie

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

19. Request Approval/Execution of a Right-of-Entry for the Purposes of Repairing a Damaged Drive at 43 Stokes Street, Grantville - District 2

Motion to: **Execute**

The Board voted to execute a Right-of-Entry with Leon, Darryl, and Valerie Hines for the purposes of repairing a damaged driveway at 43 Stokes Street, Grantville.

RESULT: Passed (UNANIMOUS)

MOVER: Bill McKenzie

SECONDER: Bob Blackburn

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

20. Request Approval/Execution of a Right-of-Entry for Purposes of Addressing Drainage Issues at 25 Raymond Carson Street, Newnan - District 2

Motion to: **Execute**

The Board voted to execute a Right-of-Entry with Mr. John Ennis for the purposes of addressing drainage issues at 25 Raymond Carson Street, Newnan.

RESULT: Passed (UNANIMOUS)

MOVER: Bill McKenzie

SECONDER: Bob Blackburn

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

21. Request Approval to Surplus Vehicles Previously Utilized by Coweta County Fire Rescue

Administrator Fouts explained that Coweta County Fire Rescue has previously utilized three (3) vehicles that have reached the end of their service life and are recommended to be sold as surplus and disposed of in accordance to current County procedures, including determining the highest value available, selling or salvaging the vehicles.

Motion to: **Approve**

The Board voted to surplus the following three (3) vehicles previously utilized by Coweta County Fire Rescue and to allow staff to dispose of such according to current County procedures:

- Pierce Quantum 2010 VIN: 4P1CU01E6AA10563
- Pierce Quantum 2010 VIN: 4P1CU01E6AA10565
- Sutphen Shield 2006 VIN: 1S9A1BLD961003100

RESULT: Passed (UNANIMOUS)

MOVER: Alphonso Smith

SECONDER: Bob Blackburn

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

22. Request Approval to Surplus Information Technology Equipment

Administrator Fouts explained that as the Coweta County Information Technology (IT) Department has replaced technology throughout the year, there is a large amount of technology that needs to be declared surplus and discarded. In the past, staff has utilized the services of Ecycle Atlanta (ecycleatlanta.com) to retrieve and recycle these components free of charge to the County.

Motion to: **Approve**

The Board voted to surplus old Information Technology (IT) equipment to be recycled by Ecycle Atlanta with destruction of hard drives by shredding (list scanned into the minutes).

RESULT: Passed (UNANIMOUS)

MOVER: Bob Blackburn

SECONDER: Alphonso Smith

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

Supplemental and Non-Agenda Items

Administrator Fouts explained that at the Commission Meeting held on November 5, 2024, the Board voted to execute an Independent Consultant Agreement with RBM, Inc. to perform treatment services for the Coweta County Accountability Courts. Staff received a request to update the consultants name from RBM, Inc. to RBM in Atlanta.

Motion To: **Confirm**

The Board voted to confirm execution of an Independent Consultant Agreement with RBM in Atlanta to perform treatment services for the Coweta County Accountability Courts.

RESULT: Passed (UNANIMOUS)

MOVER: Bill McKenzie

SECONDER: Bob Blackburn

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 any items not on the agenda.

Commissioner Smith requested that the Board review the Chairmanship rotation process as it is currently written in the *Code of Ordinances*.

In response to a question from Chairman Reidelbach, Administrator Fouts explained that there is local legislation on a few things regarding this body, but the rotation is part of the *Coweta County Code of Ordinances*. Chapter 2. Section 231. Election of a Chairman. Currently, there are no proposed changes to *Chapter 2*.

Chairman Reidelbach explained that the Board decided not to execute an amendment to *Chapter 2* until after January 2025, and suggested that Commissioner Smith meet with staff regarding his ideas, and then for staff to meet with Commissioners two (2) at a time to address Commissioner Smith's suggestions.

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 and real estate issues.

RESULT: Passed (UNANIMOUS)

MOVER: Bob Blackburn

SECONDER: John Reidelbach

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

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, Public Works Administrator Handley, Attorney Lee, Community and Human Resources Director Patricia Palmer, and Deputy County Clerk Collins.

Commissioner-Elect Jeff Fisher was also in attendance.

Regular Session

Motion to: **Return to Regular Session**

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

RESULT: Passed (UNANIMOUS)

MOVER: Bill McKenzie

SECONDER: Bob Blackburn

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

Affidavit

Motion to: **Execute an Affidavit and Resolution for Executive Session**

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

RESULT: Passed (UNANIMOUS)

MOVER: Alphonso Smith

SECONDER: Bob Blackburn

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

Motion to: **Approve**

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

RESULT: Passed (UNANIMOUS)

MOVER: Alphonso Smith

SECONDER: John Reidelbach

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

Adjournment

Motion to: **Adjourn**

The Board voted to adjourn the meeting.

RESULT: Passed (UNANIMOUS)

MOVER: John Reidelbach

SECONDER: Bill McKenzie

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