



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

April 15, 2025

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
Bill McKenzie	District 2 - Chairman	Present
John Reidelbach	District 4 - Vice Chairman	Present
Jeff Fisher	District 1	Present
Bob Blackburn	District 3	Present
Alphonso Smith	District 5	Remote
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 Tuesday, April 15, 2025.

In accordance with O.C.G.A. § 50-14-1(g)(3), Commissioner Smith attended the meeting remotely because of health reasons.

Meeting Called to Order

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

Pledge of Allegiance

Chairman McKenzie led the Pledge of Allegiance.

Invocation

Invocation was given by Commissioner Smith.

Notification of Location of Rules

Chairman McKenzie 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.

Announcements and Comments from the Commissioners

Chairman McKenzie called for any announcements and/or comments from the Board.
There were none.

Regular Session

Approval of Minutes

1. **Request Approval of the Minutes from the Regular Meeting Session Held on April 1, 2025**

Motion to: Approve

The Board voted to approve the minutes from the Regular Meeting Session held on Tuesday, April 1, 2025.

RESULT: Passed (UNANIMOUS)

MOVER: Bob Blackburn

SECONDER: Jeff Fisher

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

Addition of Supplemental and Non-Agenda Items

Motion to: Approve

The Board voted to approve the addition of one (1) Non-Agenda item associated with canceling and rescheduling the April 22, 2025 Work Session.

RESULT: Passed (UNANIMOUS)

MOVER: John Reidelbach

SECONDER: Bob Blackburn

AYES: Bill McKenzie, John Reidelbach, Jeff Fisher, 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 Petition # REZ 24-14 Filed by North Coweta Investors, LLC Requesting to Rezone Property Located Along SR 14/US Hwy 29, Weldon Road, and Johnston Circle - District 3 and District 4

Assistant Community Development Director Ben Sewell presented Petition # REZ 24-14 filed by North Coweta Investors, LLC requesting to rezone property located along SR 14/US Hwy 29, Weldon Road, and Johnston Circle (Parcels # 117-7064-008, # 117-7064-009, # 117-7065-002, # 117-7065-009A, # 117-7065-026, # 117-7066-001, and # 117-7066-001A) from *RC (Rural Conservation)* to *LM (Light Industrial)* for a proposed data center campus.

He explained that the subject property consists of seven (7) individual tracts for a combined total of 326.61± acres. He further explained that the subject property “Project Peach Data Center Campus” is situated at the intersection of SR 14/US 29 and Weldon Road, and the western portion of the site spans both sides of Johnston Circle, near the City of Palmetto. As proposed, the development removes a portion of Johnston Circle where it connects to US 29 and abandonment of that section of the roadway will be necessary. The proposed plan includes a primary and secondary entrance off Weldon Road as well as a secondary entrance off US 29. The site is bounded to the southwest by the Palmetto N Industrial Park, to the north by the City of Palmetto, and to the southeast by large estate lots. The conceptual site plan submitted with the application proposes eight (8) separate data center buildings with individual building sizes ranging from 150,000 square feet to around 350,000 square feet. In total, the combined buildings measure approximately 2.1 million square feet. Additionally, the plan indicates a 13± acre pad for an electric substation located near the current entrance of Johnston Circle and the railroad track. He presented photographs of the view from the proposed site toward Palmetto Baptist Church, from the church and Weldon Road toward the site, and from the site northward toward the City of Palmetto. According to the renderings submitted with the rezoning application, the exterior building materials of each structure will consist of tilt-up concrete walls with architectural metal panels and glass. In closing, he highlighted the factors reviewed by staff during the zoning application process, and presented twenty-one (21) conditions for consideration by the Board should they choose to approve the request.

Mr. Arthur "Skin" Edge, applicant representative, requested that the application and a constitutional letter submitted last week be made part of the official record. He explained that the application is to construct a data center campus on approximately 326 acres located in unincorporated Coweta County. The property is adjacent to State Route 29 and Weldon Road and the applicant is requesting to rezone the property from *RC (Rural Conservation)* to *LM (Light Industrial)*. Upon completion of the project, the campus will consist of eight (8) buildings totaling approximately 2.1 million square feet. The proposed project will be constructed in phases through an anticipated date of 2036, depending on demand for the data center. Upon completion, the construction value will be approximately \$1 billion, not including the server equipment. They anticipate approximately 500 construction jobs will be needed during the completion of the data

center campus with the creation of about 50 permanent full-time jobs thereafter. The electrical load will be approximately 700 megawatts and assurances have been obtained from Georgia Power that they will be the service provider. However, Georgia Power will not finalize anything until the rezoning has been approved. Once approved, he is confident that Georgia Power will provide a letter verifying that they will serve the data center. He explained that there will be four (4) driveways that will be utilized, some for emergency access if necessary. Water and wastewater will be handled by the Coweta County Water and Sewerage Authority. The applicant is looking to build a 2.6-mile line extension and will be taking between 80,000-100,000 gallons of water a day. He pointed out that the buildings will be air-cooled, not water-cooled and the water used to treat the servers and other equipment in the data center will not be released into the water supply. There will be no hazardous waste generated at the site at full build-out, and they anticipate generating approximately 400 tons of waste annually. At their other data center sites, CyrusOne accomplishes a 46% recycling rate and anticipates a little over 200 tons going to the landfill annually. He explained that an electrical substation will be constructed onsite, they have completed the DRI process, and find the conditions of zoning reasonable. In closing, he explained that he feels the project fits the general character of the area, pointed out the existing industrial park located to the west, and explained that the development will not require as many services as a residential subdivision or some other development.

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

Mr. Brad Hout, CyrusOne representative, addressed the Board in support of the proposed rezoning, explaining that CyrusOne is a global data center owner, operator, and developer based in Dallas, Texas. They have fifty (50) locations across the globe, and employ over 1,000 people tasked with operating, maintaining, and securing data center campuses and the critical information they store. They have made a commitment to be carbon-neutral by 2030. He reviewed the economic impacts of the proposed development, including a \$1.1 billion investment over a 10-year period, the creation of 49 permanent jobs, 500 construction jobs over the lifecycle of the development, and the generation of \$100 million in new tax revenue for the county. He highlighted components of the construction, operations, and property tax revenue, including the generation of approximately \$2.2 million annually to the county and \$7.23 million annually to schools. Lastly, he explained that CyrusOne are good citizens and good neighbors in the communities where they are located.

Mr. Zac Randolph, civil engineer from Kimley-Horn, addressed the Board in support of the proposed rezoning. He explained that the primary access point for the development is in the southwest corner along Weldon Road, the secondary access point is near the southeast corner along Weldon Road, and two (2) emergency maintenance access points are located off US 29. With regard to the campus site plan, they have attempted to push buildings toward the center of the development and south of the existing power line. They

are working with the existing topography, berms, and buffers to attempt to shield the viewshed of the buildings. He provided a landscape rendering plan with placement of trees throughout the development, along roads and stormwater ponds, and at the front and perimeter. In closing, he highlighted building site lines at several locations around the development.

Mr. John Walker, traffic engineer with Kimley-Horn, addressed the Board in support of the proposed rezoning. He explained that because of the size of the project, a Development of Regional Impact (DRI) was required. He pointed out that the Institute of Traffic Engineers (ITE) trip generation manual estimates that a data center of this size would generate 2,080 trips per day (1,000 out/in). One of their existing CyrusOne facilities only generates about 822 trips daily, less than 60% of what the ITE manual suggests. Per the Georgia Regional Transportation Authority (GRTA) notice of decision and staff review, turn lanes will be constructed at both access points on Weldon Road and the applicant will contribute \$500,000 for some of the off-site improvements, including relocation of the intersection at Palmetto-Tyrone Road, signal timing modifications, and turn lane extensions along US 29 and at the I-85 exit ramp.

Ms. Laural Cottrell, Director of Environmental Compliance for CyrusOne, addressed the Board in support of the proposed rezoning. She explained that cooling equipment fans and compressors are simple and well-constrained and are easy to mitigate ahead of time. Emergency generators can run approximately 10–15 hours a year, and only if there is a power outage. Based on a worst-case scenario of operating at maximum cooling capacity, noise from the facility will land in the 60 decibel range. For Project Peach, they will be doing detailed acoustic studies and making sure they are feeding acoustic studies into the design to ensure they are being a good neighbor and compliant with code requirements.

Mr. Matt Fortier, CyrusOne, addressed the Board in support of the proposed rezoning. He explained that their cooling system is a fully closed-loop air-cooled chiller system. It reduces the environmental impact by utilizing 0 gallons of water annually once the cooling systems are fully charged. There is no evaporative cooling and no secretive draw on the public water system. Because it is a closed-loop system, they do not use chemical treatment on water and there is none that goes back into wastewater. The only water usage at their facilities is for basic occupancy needs, such as flushing toilets, sinks, minor humidification, and for fire sprinkler protection system used in the event of an emergency. They have also met with the Coweta County Water and Sewerage Authority to coordinate their efforts as well as to ensure they are not burdening the current system. They are committed to the design and minimal impact on the water system and on the surrounding community and hope it demonstrates the kind of partner they intend to be.

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

The following citizen spoke in opposition to the proposed rezoning, citing the Boards'

denial of the former Del Webb development and Trinity Christian School rezoning applications, light pollution from the development, increased utility costs, and negative impacts on infrastructure.

- Ms. Laurie Newsome, Craigwood Way, Sharpsburg

In response to a comment by Ms. Newsome, Administrator Fouts explained that the Del Webb development was approved by the Board, and it is currently under development review. Regarding Trinity Christian School, the Board of Zoning Appeals conducted a Public Hearing regarding Trinity's request for a Conditional Use Permit (CUP) and recommended that the Board deny the CUP. Afterward, Trinity withdrew their application prior to the Commission meeting (see minutes from February 11, 2025).

The following citizens also spoke in opposition to the proposed rezoning, citing signs of renewal and community pride, changing the character of their community, proximity to historic downtown Palmetto and residential neighborhoods, creation of very few jobs, massive use of water and energy, noise/air/light/sound pollution, heavy infrastructure demands, negative effects on quality of life and wildlife, environmental concerns, loss of rural character, financial and health burden for the community, short-term gains for long-term negative impacts, view of the substation, land-locking in the residential area with industrial development, existing industrially zoned land that the developer could use, dust from construction, increased truck traffic on Hwy 29, interruption of sleep patterns, decreased property values, better potential uses that will benefit the community (education, single-family homes, recreational facilities, medical facilities), cultural values and changes, hazards, lack of support by the community, loss of a sense of place, rural conservation, forward vision, length of construction, and negative effects on the elderly and young people.

- Mayor Teresa Thomas-Smith, City of Palmetto
- Ms. Shalandra Henry, Williams Street, Palmetto
- Council Member Nathan Slaton, City of Palmetto
- Council Member Robert Arnold, City of Palmetto
- Council Member Jess Willbanks, City of Palmetto
- Ms. Barbara Knott, Cobb Street, Palmetto
- Mr. Charles Knott, Cobb Street, Palmetto
- Mr. Dennis Miller, Tim Street, Palmetto

In rebuttal, Mr. Edge explained that he did not have any additional comments, but would be happy to field any questions from the Board.

In response to questions from Commissioner Smith, Mr. Edge explained that the 80,000-

100,000 gallons of water per day will be used for toilets, kitchens, etc., and employee salaries will average 125% above the county's median wage.

In response to a question from Commissioner Smith, Administrator Fouts explained that the average annual wage in Coweta is approximately \$49,000. Therefore, 125% above would result in an average wage of \$61,250 per year.

In response to a question from Commissioner Fisher, Mr. Edge explained that he is not currently under contract with a hyperscaler (large-scale cloud service provider), but based on his experience in other jurisdictions, he expects that to happen fairly quickly.

In response to a question from Commissioner McKenzie, Mr. Edge explained that North Coweta Investors will own the buildings, but they do not know who their tenants will be. It could be one large tenant or several smaller ones.

Motion to: Close the Public Hearing

The Board voted to close the Public Hearing regarding Petition # REZ 24-14 filed by North Coweta Investors, LLC requesting to rezone property located along SR 14/US Hwy 29, Weldon Road, and Johnston Circle (Parcels # 117-7064-008, # 117-7064-009, # 117-7065-002, # 117-7065-009A, # 117-7065-026, # 117-7066-001, and # 117-7066-001A) from *RC (Rural Conservation)* to *LM (Light Industrial)*.

RESULT: Passed (UNANIMOUS)

MOVER: John Reidelbach

SECONDER: Jeff Fisher

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

Commissioner Reidelbach explained that south of the proposed development are 61± acres of industrial property, to the north are about 30± acres of power right-of-way that can't be built on, and to the east is industrial property except for one area of residential property. In addition, 6–7 years ago, the City of Palmetto annexed property from unincorporated Coweta County for a 1,000,000 square-foot industrial cross-dock warehouse. It is a difficult decision, but in his view, this is an industrial area because almost everything that surrounds the subject property is now being utilized for industrial purposes.

Commissioner Smith pointed out that six (6) representatives of the developer addressed the Board to express their support of the rezoning application, and he is uncertain if any of them live in the area other than Mr. Edge. Meanwhile, there were ten (10) residents that expressed their opposition with no one speaking in support. This tells him there is a gap between the developer and the community.

Commissioner Fisher explained that he has listened to everyone's comments. He also

explained that he contacted a couple of other jurisdictions located in Virginia to see what they went through and what they did in people's backyards. Every development, including every protracted development, is fought. Locally, the voters supported HB 581 and over \$10 million had to be cut from the County's operating budget. The Commissioners are tasked with trying to run a county and bringing in elements to help to offset the loss.

Ordinances can be adjusted when the revenue stream is there. Citizens want parks, trails, etc. and he feels that this project is a mechanism to help fund those services.

Motion to: Approve

The Board voted to rezone property located along SR 14/US Hwy 29, Weldon Road, and Johnston Circle (Parcels # 117-7064-008, # 117-7064-009, # 117-7065-002, # 117-7065-009A, # 117-7065-026, # 117-7066-001, and # 117-7066-001A) from *RC (Rural Conservation)* to *LM (Light Industrial)* as requested in Petition # REZ 24-14 filed by North Coweta Investors, LLC, subject to the following conditions:

1. The subject property shall be conditionally zoned for a data center operation.
2. All Coweta County Code of Ordinances shall be adhered to unless a variance is granted through the normal review process.
3. The Developer shall donate right-of-way (ROW) from Parcel # 117-7065-005 to allow for the relocation of Palmetto Tyrone Road and its intersection with Weldon Road from its current location to a point 220 feet east of the existing intersection. The Developer shall also contribute \$1,000,000 to the County to be used for the design and construction of the intersection relocation and intersection improvement project.
4. Intersection and stopping sight distance that meets American Association of State Highway and Transportation Officials (AASHTO) requirements must be provided for proposed site Driveway A. A left turn lane and right turn lane will be required on Weldon Road at Driveway A.
5. The developer shall contribute \$25,000 towards the cost of signal timing modifications at the intersection of Collinsworth Road and Tingle Lane.
6. Construction traffic to and from the development or associated with the development shall not utilize Johnson Circle to travel to or from the development tract.
7. If traffic issues arise during the construction of the project because of the construction traffic, the Developer shall design and construct left and right turn lanes at Site Driveway B along Weldon Road. Site Driveway B shall remain gated after construction.
8. The proposed rejection lane at Site Driveway A shall be constructed as a one-way drive to accommodate outbound traffic only.
9. The Developer shall design and construct a cul-de-sac at the intersection of Johnston Circle and the existing property line. The portion of Johnston Circle within the property shall be abandoned by the County. The Developer shall donate

- adequate right-of-way for future maintenance of the cul-de-sac. The proposed emergency access to Johnston Circle shall be gated.
10. The applicant shall coordinate with the Public Works Division and provide all required documentation for the portion of right-of-way abandonment along Johnston Circle to be approved by the Board of Commissioners.
 11. All road improvements shall be constructed prior to the issuance of the first certificate of occupancy for the development.
 12. All work within the right-of-way shall meet current American Association of State Highway and Transportation Officials (AASHTO), County, and Georgia Department of Transportation (GDOT) standards.
 13. The Developer shall perform all required improvements included in the Georgia Regional Transportation Authority (GRTA) Notice of Decision (NOD) for (Development of Regional Impact (DRI) # 4301.
 14. The subject site shall be served by municipal sewer and water.
 15. Buffers adjoining all *RC (Rural Conservation)* zoning districts shall be 100-feet. A buffer evaluation shall be required to determine if any additional plantings are needed to support the requirements. Prior to any plantings, the plan must be approved by the Community Development Department.
 16. The permit applicant shall be responsible for stormwater management meeting the requirements of *Chapter 30* of the *Coweta County Code of Ordinances* for each subbasin and each shall be studied at the points where each subbasin leaves the proposed development's property. Additionally, it is required that Runoff Reduction practices be implemented upgradient from the detention/retention ponding to help avoid maintenance concerns and provide a treatment train approach as intended by the ordinance.
 17. The 75-foot front setback shown on the conceptual site plan along the property's frontage with Hwy 29 and Weldon Road shall be maintained as a buffer, as typically required by *Article 25* of the *Zoning and Development Ordinance*. The Developer shall work with Development Review staff to identify areas where existing vegetation is insufficient for effective screening. Where deficiencies are found, additional plantings shall be installed to provide adequate visual screening of the roadways. This roadway buffer shall extend along the entire frontage except at designed entry corridors. Each drive entrance corridor shall be no more than 200-feet wide in total, measured at 100-feet on each side of the centerline of the entrance drive at the right-of-way.
 18. The exterior building materials shall be constructed of architectural precast concrete panels, complemented by metal panels and glass elements, to provide visual contrast as proposed in the renderings submitted with the application.
 19. To minimize the traffic impact during the construction phase, the Developer shall work with staff to provide on-site temporary parking and services for construction employees. Such services may include restrooms, food service, and shaded seating areas.
 20. All site and building lighting shall utilize full cutoff fixtures to prevent glare onto or

direct illumination onto adjacent properties and streets.

21. The applicant shall obtain a land disturbance permit (LDP) within 18-months beginning the next business day following approval by the Board. If the applicant fails to do so, the Board may initiate zoning of the property back to the *RC (Rural Conservation)* district.
22. The noise level shall be limited to 45 decibels (dBA) as measured from all property lines.
23. The applicant must provide a will-serve letter and a power purchase agreement from an electric service provider within 6-months beginning on the next business day following approval by the Board.
24. The applicant shall provide a waste mitigation plan prior to obtaining the Certificate of Occupancy of the first building detailing the methods of disposal of materials to ensure that hazardous materials are removed in an environmentally safe manner. Additionally, an audit of the waste mitigation plan shall be submitted to the Community Development staff annually.
25. The applicant shall relocate the substation to the approximate location of Building # 1 as depicted on the conceptual site plan. The applicant may relocate Building # 1 to the former substation location.

RESULT: Passed (3 to 2)

MOVER: John Reidelbach

SECONDER: Jeff Fisher

AYES: John Reidelbach, Jeff Fisher, Bob Blackburn

NAYS: Bill McKenzie, Alphonso Smith

3. Public Hearing Regarding Petition # VAR 25-02 Filed by Paige Dockweiler Requesting a Barn Setback Variance for Property Located at 9210 E Hwy 16, Senoia - District 1

Zoning Associate Nicole Blackwell presented Petition # VAR 25-02 filed by Paige Dockweiler requesting barn setback variances for property located at 9210 East Hwy. 16, Senoia (Parcel # 169-1321-011). She explained that the subject property consists of 12.81± acres and is currently zoned *RC (Rural Conservation)*. The applicant purchased the property in 2018, and established an agricultural farm known as “Doc Brown Farm & Distillers”. Doc Brown Farm & Distillers is a “seed to still” farm that grows non-GMO grains that are transported to the Distillery of Modern Art in Atlanta for contract distilling. As part of the farming operation, the applicant constructed a 40-feet x 50-feet pole barn to be utilized for storage of farming equipment. The applicant did not obtain any building permits prior to constructing the pole barn, and the structure does not meet the required setbacks for a barn. She further explained that according to *Article 7. Section 72* of the *Coweta County Zoning and Development Ordinance*, all related accessory buildings, pens or corrals, for housing or confining animals, or for storing feed or equipment, or for similar purposes, shall be located at least 100-feet from all property lines and at least 200-feet from any existing off-site residential dwelling. The site plan illustrates that the pole barn is located at the rear of the property, positioned within a narrow area between the

owner's property boundaries and their personal residence. The barn sits 40-feet from the northern property line and 150-feet from an existing off-site residential dwelling. As a result, the applicant is requesting a variance to reduce the setbacks to allow the barn to remain at its current location. In closing, she highlighted the factors considered by staff during the application process, presented four (4) conditions for consideration by the Board should they choose to grant the variance request, and explained that the nearby property owners to the south of the subject property submitted a written expression of support for the variance request.

In response to a question from Commissioner Smith, Ms. Blackwell explained that the barn is located on a separate parcel from the applicant's personal residence, but both properties are owned by the applicant. She further explained that if both parcels had been combined into one parcel, the barn setback would not be an issue.

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

Chairman McKenzie called for any comments in support of or in opposition to the proposed setback variance. There were none.

In response to a question from Commissioner Reidelbach, Ms. Blackwell explained that the structure will be inspected by a building official prior to issuance of a permit.

In response to a question from Commissioner Smith, Mr. Sewell explained that the barn has not been inspected by the building official yet, but if it does not comply with the building codes, the applicant will have to modify the structure so that it is compliant or remove the structure from the property.

Motion to: Close the Public Hearing

The Board voted to close the Public Hearing regarding Petition # VAR 25-02 filed by Paige Dockweiler requesting barn setback variances for property located at 9210 East Hwy. 16, Senoia (Parcel # 169-1321-011).

RESULT: Passed (UNANIMOUS)

MOVER: Bill McKenzie

SECONDER: John Reidelbach

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

In response to a question from Commissioner Smith regarding assessing any penalties for not following the proper procedure and obtaining a building permit, Attorney Lee explained that a citation would have to be issued by the County, and any associated fines would be collected through the Magistrate Court.

Administrator Fouts explained that historically, the Board has considered doubling the fee

to obtain a permit when it has been discovered that a citizen/applicant/individual failed to follow the appropriate permitting process. However, staff has not recommended doing so as part of the conditions proffered for this application.

Motion to: Grant

The Board voted to grant a 60-foot barn setback reduction (from 100-feet to 40-feet) along the northern property line and to grant a 50-foot barn setback reduction (from 200-feet to 150-feet) from an existing off-site dwelling for property located at 9210 East Hwy. 16, Senoia (Parcel # 169-1321-011) as requested in Petition # VAR 25-02 filed by Paige Dockweiler, subject to the following conditions:

1. The pole barn shall not encroach any closer to the northern property line or to the off-site residential dwelling than it currently exists today.
2. The applicant shall meet all the requirements of the Building Department.
3. The applicant shall obtain all appropriate building permits and inspections for the pole barn.
4. If the barn cannot meet all requirements for building permit, inspections, and approvals, then the applicant shall demolish the barn after obtaining the appropriate demolition permits from the Community Development Building Permits and Inspections Division.

RESULT: Passed (UNANIMOUS)

MOVER: Bob Blackburn

SECONDER: Jeff Fisher

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

4. Public Hearing Regarding Petition # CONDUSE 25-01 Filed by Paige Dockweiler Requesting a Neighborhood Agricultural Conditional Use Permit for Property Located at 9210 E Hwy 16, Senoia - District 1

Zoning Associate Blackwell presented Petition # CONDUSE 25-01 filed by Paige Dockweiler requesting a Neighborhood Agricultural Conditional Use Permit for property located at 9210 East Hwy. 16, Senoia (Parcel # 169-1321-001). She explained that the subject property consists of 12.81± acres and is zoned *RC (Rural Conservation)*. She also explained that the surrounding properties are zoned *RC (Rural Conservation)*, and the neighbor located to the south of the subject property has indicated support for the Conditional Use Permit (CUP). The applicant, a partial owner of Doc Brown Farm & Distillers, a family-owned, small-batch craft distillery, proposes to introduce agritourism activities on-site. Currently, heirloom corn is grown on the property and distilled into spirits off-site at the Distillery of Modern Art in Atlanta. The proposed Neighborhood Agribusiness activities include educational tours and workshops, retail sales of Doc Brown-branded merchandise, and events and experiences including spirit tastings and weekend food truck events. The proposed operational hours are Thursday through Saturday, 10:00 a.m. to 8:00 p.m., with

an estimated daily attendance of twenty (20) guests. To support these initiatives, the applicant proposes constructing a 60-foot by 40-foot metal building/barn for tourists to visit and see Georgia's only "seed to still" farm. There is an existing barn on the property that will not be part of the CUP. In closing, she highlighted the factors considered by staff during the application process and presented thirteen (13) conditions for consideration by the Board should they choose to grant the CUP.

In response to a question from Commissioner Smith, Ms. Blackwell explained that historically the Board has given applicants twelve (12) months to obtain a land disturbance permit but it is the Board's discretion whether they would like to grant the applicant a longer period to do so.

Administrator Fouts explained that based upon the scope of this project, staff feels that twelve (12) months is adequate time for the applicant to obtain a land disturbance permit.

Ms. Amy Brown, co-applicant, explained that her family has been consistently farming for 220 years, and her intention is to carry on that legacy. She further explained that farming is critical to the United States and its citizens. Their farming methods are critical to the restoration of the land. They do not utilize any chemicals or any genetically modified corn or rye seeds. They work to balance the local ecosystem with the use of bees, bats, and owls as pollinators. She noted that she receives daily requests from outsiders to come visit their farm to witness how it operates. Their ultimate goal is to educate people about the necessity of the American farmer and the American way of life. In closing, she commended the County staff for their assistance in the application process and expressed appreciation to the Board for the opportunity.

Chairman McKenzie called for any comments in support or in opposition to the proposed Conditional Use Permit. There were none.

Motion to: Close the Public Hearing

The Board voted to close the Public Hearing regarding Petition # CONDUSE 25-01 filed by Paige Dockweiler requesting a Neighborhood Agricultural Conditional Use Permit (CUP) for property located at 2910 East Hwy. 16, Senoia (Parcel # 169-1321-001).

RESULT: Passed (UNANIMOUS)

MOVER: John Reidelbach

SECONDER: Bob Blackburn

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

Motion to: Grant

The Board voted to grant a Neighborhood Agricultural Conditional Use Permit (CUP) for

property located at 9210 East Hwy. 16, Senoia (Parcel # 169-1321-001) as requested in Petition # CONDUSE 25-01 filed by Paige Dockweiler, 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 driveway shall be paved for the first 100-feet and shall be a minimum of 20-feet wide.
3. All applicable Americans with Disabilities Act (ADA) and Georgia Accessibility requirements will have to be met. This will include adequate paved handicapped parking and a compliance certification letter from a registered professional before the site can be licensed for business or buildings occupied.
4. The applicant shall provide adequate and accessible plumbing facilities to the public.
5. The applicant shall provide a more detailed site plan to the Development Review Division prior to the permitting of any building or licensing of the business.
6. The applicant shall obtain a land disturbance permit (LDP) 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 revocation of the Conditional Use Permit.
7. The proposed new structures must be 100-feet from any property line unless a variance is granted through the normal variance process.
8. 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.
9. The applicant shall resolve any drainage or site development issues affecting the Georgia Department of Transportation (GDOT) right-of-way.
10. The owner/operator shall agree to work with the County, in good faith, to address any concerns or complaints related to odor, glare, noise, or similar objectionable features.
11. The days/hours of operation and activities shall be limited to Thursday through Saturday, 10:00 a.m. to 8:00 p.m.
12. All applicable requirements of the local, state, and federal alcohol laws shall be met.
13. Prior to commencing any on-site activities, a Certificate of Completion/Occupancy and a Business License shall be received for the site.

RESULT: Passed (UNANIMOUS)

MOVER: Jeff Fisher

SECONDER: Bob Blackburn

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

5. **Public Hearing Regarding Petition # VAR 24-20 and # VAR 25-01 Filed by Seth Lee Tarpley**

Requesting Buffer and Setback Variances for Property Located on Coweta Heard Road in Unincorporated Coweta County - District 2

Zoning Associate Blackwell presented Petitions # VAR 24-20 and # VAR 25-01 filed by Seth Tarpley requesting stream buffer and setback variances for structures currently placed on property located at 1127 Coweta Heard Road, Hogansville (Parcel # 042-3051-003) in Coweta County. She explained that the subject property consists of 30.63± acres and is zoned *RC (Rural Conservation)*. The applicant intends to construct a home on the property. However, a stop-work order was issued in October 2022 after a site plan review revealed that a log cabin and a metal barn had been built without the necessary permits and without meeting ordinance requirements. The metal barn is actually two (2) separate accessory buildings.

Ms. Blackwell explained that Petition # VAR 24-20 is related to the log cabin and the applicant is seeking relief from the 25-foot State Water Buffer and the County's Stream Corridor Protection Buffers and Setback requirements. The cabin was originally a pole barn that was later converted into a cabin after the applicant purchased the property. No building or septic permits were ever obtained, and the cabin does not meet the minimum square footage requirement for a residential dwelling. If the cabin is considered an accessory, the property lacks a required primary residence. The cabin also encroaches on the 25-foot State Water Buffer and the County's Stream Corridor Protection Buffers and Setback requirements. The applicant has proposed installing gutters with a rain barrel, collection systems to capture runoff, and removing the septic system as mitigation measures.

Ms. Blackwell explained that Petition # VAR 25-01 is related to the metal barn and the applicant is seeking relief from the 25-foot State Water Buffer and the County's Stream Corridor Protection Buffers and Setback requirements. The metal barn consists of two (2) accessory structures which were built after the applicant purchased the property. While it is labeled a metal barn on the site plan, it is currently utilized as storage for items unrelated to farming, including windows and doors for the proposed future home. If the accessory structures are considered a barn, they do not meet the 100-foot barn setback requirement. No building permits were obtained, the two accessory structures are less than 10-feet apart, which violates the distance between structures requirement, and the structure on the right encroaches on the County's Stream Corridor Protection Buffers.

Ms. Blackwell highlighted the factors considered by staff during the variance application process and presented nine (9) conditions for Petition # VAR 24-20 and nine (9) conditions for Petition # VAR 25-01 for consideration by the Board should they choose to grant the variance requests.

In response to questions from the Board, Ms. Blackwell explained that the cabin has plumbing and an unpermitted septic system sitting next to a stream. The Building Permits

and Inspections Division became aware of this when the applicant submitted site plans for construction of a home almost two (2) years ago.

Community Development Director Amason fielded questions from the Board, explaining that the cabin was originally a pole barn that was later converted into a log cabin sometime between 2012-2015. The applicants purchased the property in 2017 and continued with improvements to the log cabin. The cabin has electric service, no permits were ever obtained, and it was never intended to be utilized as a guest house. The applicants wish to build a primary residence on the subject property. Demolishing the cabin would cause a land disturbance and potential damage within the buffer. This could also impact the state water buffers, and the septic system might already be doing that. The septic system will need to be removed and if the land does not perc, then plumbing will not be allowed anyway. He is not certain exactly where the septic system is located, but the log cabin encroaches into both the county and state water buffer.

Administrator Fouts explained that the problem is that the log cabin was originally a pole barn and, at some point, the applicants continued to add on to make it a dwelling that does not comply with the County's ordinances. Also, one of his concerns is that without a permitted dwelling, an address cannot be assigned to the property and public safety would not be able to locate the structure to respond if there were an emergency.

In response to questions from Commissioner Fisher, Ms. Blackwell explained that the applicants do not live in the cabin, and they are waiting for a decision from the Board to see if they can begin construction on their home.

In response to questions from Commissioner Smith, Community Development Director Amason explained that the applicants have not had an environmental study performed to determine if there is any contamination from the septic. They have hired an attorney and an engineer to try to help them. In addition, staff has spent the last few years trying to reach out to the Environmental Protection Department (EPD) for guidance or corrective action, but don't think they wish to be involved in someone's backyard without a complaint. There have not been any complaints received. Mr. Amason further stated that the building official indicated that it is likely going to be very difficult to bring the log cabin into compliance with today's regulations, but it has not been inspected yet. Staff tried to structure the proffered conditions to provide options in case the cabin could be brought into compliance.

Commissioner Reidelbach explained that the plumbing should be stopped now because it is unknown whether it is contaminating the groundwater. The applicant would still be able to perform a perc test and possibly convert the old septic system to a correct one without having to tear the old one out.

Ms. Shelby Tarpley, applicant, explained that she and her husband have been living with

different family members for the last three years. Her father-in-law built a pole barn on his property before they purchased it from him. At the time, she was unaware of the water restrictions and enclosed the pole barn to use when camping, hunting or fishing instead of having to bring in campers. The pole barn/log cabin was never going to be used as a guest house. When they applied for a permit to construct their home, the issues were discovered. She hired an out-of-state company to construct the home and assumed that they would handle all aspects but was mistaken. They paid the builder's fee of \$30,000 and lost their home loan because the concrete had not been poured for the new home. Now, they are paying back \$96,000 on the home loan that was canceled. They hired an attorney and engineer to assist them, but three years later they are in the same spot. Her shop is called a barn, but they do not have any livestock there. The shop/barn is being utilized to store furniture, vehicles, a camper, a boat, doors and windows for the new home. Additional materials to build the home are also located between the shop and the cabin. She apologized for their missteps and stated that they just want to correct these issues and build their house on the property.

Motion to: Close the Public Hearing

The Board voted to Close the Public Hearing.

RESULT: Passed (UNANIMOUS)

MOVER: Alphonso Smith

SECONDER: John Reidelbach

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

Motion to: Grant Petition # VAR 24-20 Associated with the "Log Cabin"

The Board voted to grant stream buffer and setback variances for an existing "log cabin" located at 1127 Coweta Heard Road, Hogansville (Parcel # 042-3051-003) as requested in Petition # VAR 24-20 filed by Seth Tarpley, subject to the following conditions:

1. The applicant shall provide to the County all necessary building and engineering plans, inspections, and certifications for Building Official's approval and Certificate of Occupancy and Completion issuances. If the Building Official deems it an impossibility, then the applicant shall obtain a demolition permit and remove the structure(s) and restabilize all disturbance with permanent vegetation.
2. The applicant shall provide approved stormwater runoff mitigation for encroachments into the buffers as approved by the County Development Review Staff and inspected by the County Development Inspector.
3. If the "log cabin" is allowed to remain as per condition # 1, then the applicant shall provide a deed restriction for the "log cabin" to be used as a guest house under the Guest House provisions of the *Coweta County Code of Ordinances*. If not allowed as a guest house, the applicant shall amend or demo the structure as directed by the

Board.

4. The structure shall not encroach any further into the State and County's Stream Water Protection buffers or setbacks.
5. The existing, unpermitted septic absorption field shall be removed.
6. If it is determined that no new septic system can be permitted for the cabin, water service must be disconnected from the "log cabin", all plumbing fixtures shall be removed, and the structure shall be documented as a non-dwelling unit through a deed restriction.
7. All buildings shall be reviewed by a state-licensed engineer to confirm conformance with the adopted building codes and shall be documented and submitted to the Building Official for review and approval.
8. The applicant shall provide these above conditions prior to the release of the in-place Stop Work Order for the residential house.
9. The applicant shall apply for any additional variances as may be determined at a later date.
10. No expansion is allowed on the building in the future.

RESULT: Passed (UNANIMOUS)

MOVER: Bill McKenzie

SECONDER: John Reidelbach

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

Motion to: Grant Petition # VAR 25-01 Associated with the Metal Barn

The Board voted to grant a stream buffer and setback variances for an existing 'metal barn' located at 1127 Coweta Heard Road, Hogansville (Parcel # 042-3051-003) as requested in Petition # VAR 25-01 filed by Seth Tarpley, subject to the following conditions:

1. The applicant shall provide to the County all necessary building and engineering plans, inspections, and certifications for Building Official's approval and Certificate of Occupancy and Completion issuances. If the Building Official deems it an impossibility, then the applicant shall obtain a demolition permit and remove the structure(s) and restabilize all disturbance with permanent vegetation.
2. The applicant shall provide approved stormwater runoff mitigation for encroachments into the buffers as approved by the County Development Review Staff and inspected by the County Development Inspector.
3. If the "metal barn" is allowed to remain as per condition # 1, then the applicant shall provide an Acknowledgment of Intent letter and deed restriction to the County Building Permits and Inspections staff that the structure is not used as an agricultural use barn unless a setback variance is approved by the Board of Commissioners.

4. The structures shall not encroach any further into the County's Stream Water Protection buffers or setbacks.
5. The two accessory structures that make up the "metal barn" shall be connected into one unified accessory structure unless a variance is applied for and approved by the Board.
6. The utilization of rain barrels collecting water from gutter runoff shall be required or some other form of approved stormwater runoff mitigation.
7. All buildings shall be reviewed by a state-licensed engineer to confirm conformance with the adopted building codes and shall be documented and submitted to the Building Official for review and approval.
8. The applicant shall provide these above conditions prior to the release of the in-place Stop Work Order for the residential house.
9. The applicant shall apply for any additional variances as may be determined at a later date.

RESULT: Passed (UNANIMOUS)

MOVER: Bill McKenzie

SECONDER: Jeff Fischer

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

6. Public Hearing Regarding Proposed Exemption of Certain County Vehicles from State Labeling/Decal Requirements

Administrator Fouts explained that State law (O.C.G.A. § 36-80-20) requires a clearly visible decal or seal on the front door of each side of vehicles owned or leased by the County. State law does allow for certain vehicles to be exempted from the decal requirements after a Public Hearing has been conducted. Staff is requesting that the Board execute a resolution to exempt a total of four (4) vehicles utilized by the Coroner's Office from the requirement.

Chairman McKenzie called for any comments in support of or in opposition to the proposed vehicle labeling/decal exemptions. There were none.

Motion to: Close the Public Hearing

The Board voted to close the Public Hearing regarding exemption of certain County vehicles from State labeling/decal requirements.

RESULT: Passed (UNANIMOUS)

MOVER: Bob Blackburn

SECONDER: John Reidelbach

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

Motion to: Execute

The Board voted to execute a resolution exempting the following vehicles utilized by the Coroner from the State's requirements for displaying decals/seals on vehicles owned or leased by the County:

- 2022 Ford F-150 XLT (VIN: 1FTFW1E54NKF00306)
- 2020 Chevy Tahoe (VIN: 1GNSKDKC1LR264725)
- 2009 Ford Expedition (VIN: 1FMFU16519EB27052)
- 2004 Ford Expedition (VIN: 1FMPU14W04LB46132)

RESULT: Passed (UNANIMOUS)

MOVER: Bill McKenzie

SECONDER: Alphonso Smith

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

7. Public Hearing Regarding a Proposed Abandonment of a Portion of Wood Drive, Newnan - District 2

Public Works Administrator Handley explained that the portion of Wood Drive near its intersection with Turkey Creek Road ran behind an old store building that is situated between Turkey Creek Road and Wood Drive. The proximity of the old store building in relation to the intersection of the two roads and the cut-through caused a sight distance issue for drivers and created the potential for vehicle crashes at the intersection. After consultation with the affected property owner, a plan to realign Wood Drive was prepared and the portion of the roadway and its approach to Turkey Creek Road have been reconstructed. The relocated intersection is situated away from the old store building, allowing for adequate sight distance for drivers using these roads. With the construction of the Wood Drive realignment, the portion of Wood Drive that is located in the area adjoining and behind the old store building is no longer of benefit to the traveling public and has been closed to traffic. Portions of the old asphalt surface have been removed, and the old roadbed will be regraded to allow for the establishment of grass.

Chairman McKenzie 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 Wood Drive, Newnan.

RESULT: Passed (UNANIMOUS)

MOVER: Bob Blackburn

SECONDER: John Reidelbach

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

Motion to: Abandon

In response to a question from Commissioner Smith, Public Works Administrator Handley explained that portions of the old roadbed have been removed and certain parts were retained to provide the property owner access to his home and shop building.

The Board voted to abandon a portion of Wood Drive consisting of 275± feet near its intersection with Turkey Creek Road.

RESULT: Passed (UNANIMOUS)

MOVER: Bob Blackburn

SECONDER: Jeff Fisher

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

Regular Session

Public Comments Regarding Items On the Agenda

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

The following citizens spoke in opposition to a proposed annexation of property located off Greentop Road into the City of Newnan (agenda item # 8) for a proposed 235-detached single-family home development, citing concerns with the development's density and proximity to Lake Hills Subdivision, view of the rear of the proposed homes, including storage of grills, campers, boats, and trash cans, dogs while outside, fencing issues, potential for rental properties, expansion of the current development, lack of planted trees in its buffers, impacts to traffic and infrastructure, overcrowding at Northside Elementary School, lack of a Development of Regional Impact (DRI) study, and isolation of the Country Club Manor subdivision as a result of the realignment of Greentop Road.

- Ms. Vicky Hunter, Lake Hills Subdivision, Newnan
- Ms. Ruth Stark, Club Court, Newnan

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

8. **Recommendation Regarding Petition # AN 02-25 Filed by Charles Conerly, Representative of NCTI, LLC, Proposing to Annex Property Located off Greentop Road into the City of Newnan - District 3**

Zoning Associate Blackwell presented Petition # AN 02-05 filed by Charles Conerly (representative of NCTI, LLC) proposing to annex property located off Greentop Road (Parcel # 085-5107-001, 085-5107-001A, 085-5086-002) into the City of Newnan. She explained that the subject property consists of three (3) parcels measuring approximately 122.64± acres total, and is currently zoned *RC (Rural Conservation)*. The *RC (Rural Conservation)* district is intended to provide low-density single-family residential and agricultural land use. The applicant is requesting the City of Newnan's *PDR (Planned Residential Development District)* zoning for a development of three (3) pods with a total of 235 single-family homes and a density of 2.05 units per acre. The "Ranch Pod" will have an average home size of 1,800 square feet, the "Traditional Pod" will have an average home size of 2,500 square feet, and the "Estate Pod" will have an average home size of 3,000 square feet. She explained that in accordance with O.C.G.A. 36-36-113 subsection (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 Code Section 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. Blackwell explained that based on a review by several staff divisions of the information available at this time, and considering limitations provided by state law, this proposal appears to be eligible for consideration of an objection by the Board due to:

- (1)(A) 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, subsection (d), (1), (A)); 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. § 48-4-110, which is furnished by the county to the area to be annexed; and (O.C.G.A. § 36-36-113, subsection (d), (1), (B)); and
- (2) Differ 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, subsection (d), (2)).

Administrator Fouts explained that the Board voted to file an intent to object to a previous annexation application on the adjacent property, and it was resolved through arbitration. It was also below the Development of Regional Impact (DRI) threshold of 322 lots and during the arbitration process, the number was reduced to 300 lots. Combined with this development, the DRI threshold of 322 lots will be exceeded. The DRI (# 4427) for this annexation has not been completed (a Notice of Decision) which makes it difficult for staff to determine its impact, and places the County in an awkward situation. However, the

statute requires the Board to take action within 45-days of receipt of the annexation application. He also requested that the Board consider allowing staff to notify the Department of Community Affairs (DCA) to place a stay in the arbitration process to seek an agreement with the City of Newnan and NCTI, LLC to resolve this dispute.

Motion to: File an Intent to Object

The Board voted to file an Intent to Object to the proposed annexation of 122.64± acres (Parcel # 085-5107-001, 085-5107-001A, 085-5086-002) located off Greentop Road into the City of Newnan as filed in Petition # AN 02-05 filed by Charles Conerly, Representative of NCTI, LLC.

RESULT: Passed (UNANIMOUS)

MOVER: Alphonso Smith

SECONDER: Bob Blackburn

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

9. **Request Approval/Execution of an Amendment to Chapter 14. Buildings and Building Regulations Associated with Permit Fees**

Community Development Director Jon Amason explained that in response to the passage of HB 461 in 2024, which pertains to how local governments can charge fees associated with building permits, staff has drafted an amendment to *Chapter 14 Buildings and Building Regulations* of the *Coweta County Code of Ordinances* that intends to meet the requirements of the adopted legislation. The new fee schedule will become effective on May 19, 2025.

Motion to: Execute

The Board voted to execute an amendment to *Chapter 14 Buildings and Building Regulations* of the *Coweta County Code of Ordinances* associated with fees charged for building permits to meet the requirements of House Bill 461 (2024).

RESULT: Passed (UNANIMOUS)

MOVER: John Reidelbach

SECONDER: Bob Blackburn

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

Unfinished Business

10. **Request Appointments to Various Boards/Authorities**

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

New Business

Bids and Contracts

11. Request Approval/Execution of an Agreement with the City of Senoia and Freedom Land Holdings, LLC Associated with Annexation Procedures and Transportation Improvements - District 1

Commissioner Fisher explained that he is abstaining from the discussion and decision regarding the Agreement with the City of Senoia and Freedom Land Holdings, LLC associated with annexation procedures and transportation improvements, citing a conflict of interest, and exited the meeting.

Administrator Fouts explained that effective August 11, 2023, Freedom Land Holdings, LLC became the fee-simple owner of real property consisting of 108.14± acres (Tax Parcels # 157-1213-001, # 157-1213-009, and # 157-1212-005) in unincorporated Coweta County.

On August 7, 2023, the City of Senoia approved an annexation petition and rezoning for a residential development (Silver Springs) for the above-referenced property without complying with the annexation procedures set forth in State law. Subsequently, the County filed suit against the City of Senoia seeking relief in the form of complying with the annexation procedures in State law. To resolve the dispute between the County and the City of Senoia, County staff and Attorney Lee worked with representatives from Freedom Land Holdings, LLC including their attorney, to develop an agreement regarding the annexation procedures and certain transportation improvements. In addition, they provided a traffic study which has been reviewed by Public Works Administrator Handley.

As outlined in the proposed agreement, within thirty (30) days of the effective date, the City of Senoia will submit a Notice of Annexation in accordance with State law (O.C.G.A. 36-36-111, et seq), and the County will place the annexation petition on the next appropriate Board of Commissioners meeting. In consideration of the conditions of the agreement, the County shall vote not to object to the annexation. Freedom Land Holdings, LLC or its successors and assigns in interest shall be responsible for the cost of designing, permitting, constructing, and all other costs associated related to the construction of a left turn lane on Old Hwy 85 at the proposed subdivision entrance.

Within thirty (30) days after the issuance of the 100th Certificate of Occupancy, the developer shall contribute \$250,000 to mitigate the impact of the development traffic on the County's existing road system. Once the annexation petition has been filed with the Department of Community Affairs, the County shall dismiss the lawsuit against the City of Senoia. In closing, he explained that the Senoia City Council unanimously approved the agreement at their meeting on April 7, 2025.

In response to a question from Commissioner Smith, Administrator Fouts explained that as proposed in the agreement, by agreeing to the conditions, the Board also agrees to not object to the annexation when it is submitted.

Motion to: Execute

The Board voted to execute an agreement with the City of Senoia and Freedom Land Holdings, LLC associated with annexation procedures and transportation improvements.

RESULT: Passed (4 to 0)

MOVER: John Reidelbach

SECONDER: Bob Blackburn

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

ABSTAIN: Jeff Fisher

12. Bid Award Associated with 2025 Resurfacing of Various County Roadways (RB25.4) - Districts 1, 2, 3, 4, and 5

Commissioner Fisher returned to the meeting.

Motion to: Approve

The Board voted to retain Triple R Paving & Construction, LLC, on a lowest and best bid basis, to perform pavement resurfacing via mill and inlay on various roadways within the county (RB25.4) at a total cost of \$4,752,144.12 (SPLOST).

RESULT: Passed (UNANIMOUS)

MOVER: Bob Blackburn

SECONDER: Jeff Fisher

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

13. Request Approval/Execution of Fiscal Year 2025 Georgia Department of Human Services Subrecipient Agreement with Three Rivers Regional Commission Associated with Coweta Transit

Assistant Administrator Mickle explained that the staff is in receipt of the Fiscal Year 2025 agreement with the Three Rivers Regional Commission (TRRC) which outlines the Department of Human Services (DHS) funding process and requirements for the County's 5311 Transit program.

In response to a question from Commissioner Reidelbach, Ms. Mickle clarified that DHS funding has traditionally been routed through Three Rivers. While staff has explored the possibility of receiving funding directly from DHS, they have yet to receive a definitive answer and are open to continuing that inquiry.

Motion to: Execute

The Board voted to execute the Fiscal Year 2025 Georgia Department of Human Services Subrecipient Agreement with the Three Rivers Regional Commission associated with the 5311 Transit program.

RESULT: Passed (UNANIMOUS)

MOVER: Bob Blackburn

SECONDER: John Reidelbach

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

14. Request Approval of Courtroom Audio/Video Technology Upgrades

Motion to: Execute

The Board voted to execute an agreement with Solutionz, Inc associated with upgrades to the Juvenile Court Courtroom, Magistrate Court Courtroom A, and State Court Courtrooms A, B, and C, based on state contract ID 99999-SPD-0000048-0010A for the amount of \$579,353.87.

RESULT: Passed (UNANIMOUS)

MOVER: Bob Blackburn

SECONDER: John Reidelbach

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

15. Bid Award Associated with Enforcement of Ordinance Regulating Rank Plant Growth and Trash Accumulation for Property Located at 25 Ridgedale Court, Newnan - District 4

Motion to: Approve

The Board voted to retain TWR Lawn Services to perform cleanup of the property located at 25 Ridgedale Court, Newnan (Parcel # 120-6057-036) at a total cost of \$675.00, and to place a lien on said property, should it become necessary, to recoup cost associated with the cleanup services.

RESULT: Passed (UNANIMOUS)

MOVER: John Reidelbach

SECONDER: Bob Blackburn

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

Additional Action Items

16. Request Approval to Submit a Juvenile Justice Incentive Grant Application

Motion to: Approve

The Board voted to approve submission of a grant application for the Coweta County

Juvenile Court for the total amount of \$152,219.04 through the Criminal Justice Coordinating Council (CJCC), to execute a Memorandum of Understanding (MOU) with Evidence Based Associates (EBA) to provide the therapy services, and to designate the County Administrator as the "Authorized Official" to execute any related documents.

RESULT: Passed (UNANIMOUS)

MOVER: Alphonso Smith

SECONDER: Bob Blackburn

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

17. Request Approval/Execution of a Local Maintenance Improvement Grant Supplemental Application for 2025

Public Works Administrator Handley explained that the Georgia Department of Transportation (GDOT) amended the 2025 state budget to include additional funding for Local Road Assistance (LRA). These funds are being administered and distributed using the Local Maintenance and Improvements Grant (LMIG) application for use by local governments to maintain and improve roads and streets that are a part of the public road system. The supplemental grant amount that is available to Coweta County for Fiscal Year 2025 is \$2,256,900.60 and does not require a local match. Staff is proposing to utilize a portion of the funds toward the Southwest Connector project (RB21.13).

Motion to: Execute

The Board voted to execute the 2025 Local Maintenance and Improvement Grant (LMIG) Supplemental application to be submitted to the Georgia Department of Transportation (GDOT) for grant proceeds that will be utilized toward the cost of the Southwest Connector project (RB21.13).

RESULT: Passed (UNANIMOUS)

MOVER: Bob Blackburn

SECONDER: John Reidelbach

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

18. Request Approval/Execution of a Revised Acknowledgment Letter Associated with Adoption of the Georgia Department of Transportation's Procurement Policy for Engineering and Design Services

Public Works Administrator Handley explained that at the Commission meeting held on December 14, 2021, the Board voted to issue a letter to the Georgia Department of Transportation (GDOT) acknowledging the adoption of GDOT's Procurement Policy for the Procurement, Management, and Administration of Engineering and Design-Related Consultant Services. This procurement policy establishes the methods by which agencies are to utilize a qualifications-based process to select engineering and design firms to be used on federally funded transportation projects. During the review of Coweta County's 2025 Local Administered Project (LAP) Re-Certification Application, GDOT requested that a

revision be made to the 2021 adoption letter, specifically item # 6 which reads "County has provided any exceptions to GDOT's Engineering and Design Procurement Policy in a separate document to be approved by the GDOT Office of Procurement. Signatures below agree to the above acknowledgments agreeing to follow GDOT's Procurement Policy for engineering and design-related services when using FAHP funds, as it applies to local governments certified through GDOT's LAP program." GDOT has requested that this item be revised to reflect that the County has not provided any exceptions to the GDOT policy.

Motion to: Execute

The Board voted to execute a revised Acknowledgment Letter associated with adoption of the Georgia Department of Transportation's Procurement Policy for Engineering and Design Services.

RESULT: Passed (UNANIMOUS)

MOVER: Bob Blackburn

SECONDER: John Reidelbach

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

19. Request Approval/Execution of a Certification of Compliance Associated with Annual Immigration Reporting Requirements for Submission to the Georgia Department of Transportation

Motion to: Execute

The Board voted to execute a Certification of Compliance Associated with Annual Immigration Reporting Requirements, No Sanctuary Policy, and Federal Law Enforcement Cooperation for submission to the Georgia Department of Transportation (GDOT).

RESULT: Passed (UNANIMOUS)

MOVER: Bob Blackburn

SECONDER: Jeff Fisher

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

20. Request Approval/Execution of Rights-of-Entry Associated with Storm Drain Maintenance at Paces Landing Trace, Newnan - District 3

Motion to: Execute

The Board voted to execute Rights-of-Entry with Mr. Scott Long (70 Paces Landing Trace) and Mr. John Dennis, Jr. (82 Paces Landing Trace) for the purpose of performing drainage system maintenance.

RESULT: Passed (UNANIMOUS)

MOVER: Bob Blackburn

SECONDER: John Reidelbach

AYES: None

21. Request Approval to Temporarily Close a Portion of Happy Valley Circle for the Purposes of Replacing a Pipe - District 3

Motion to: Approve

The Board voted to temporarily close Happy Valley Circle between addresses 2172 and 2200 for two (2) days, weather permitting, for the purposes of replacing a failing crossdrain pipe.

RESULT: Passed (UNANIMOUS)

MOVER: Bob Blackburn

SECONDER: Jeff Fisher

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

Supplemental and Non-Agenda Items

22. Request to Cancel and Reschedule the April 22, 2025 Work Session

Administrator Fouts explained that because of a conflict, staff is requesting to cancel the Work Session scheduled on Tuesday, April 22, 2025 at 9:00 a.m. and to reschedule the meeting on Tuesday, May 6, 2025 at 3:00 p.m. He noted that there is a Board of Commissioners meeting scheduled on May 6th at 6:00 p.m.

Motion to: Approve

The Board voted to cancel the Work Session scheduled on Tuesday, April 22, 2025 at 9:00 a.m. and to reschedule the meeting on Tuesday, May 6, 2025 at 3:00 p.m.

RESULT: Passed (UNANIMOUS)

MOVER: Alphonso Smith

SECONDER: Jeff Fisher

AYES: Bill McKenzie, John Reidelbach, Jeff Fisher, 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 does not engage with the speaker during his/her comments. The Board will listen to any questions or comments and take them into consideration.

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

The following citizens expressed concerns with inconsistencies in the County's approach to

land use planning, the importance of the 2026 Comprehensive Plan and the strategic vision that guides rezoning and infrastructure decisions; Project Sail (proposed data center) converting rural land into heavy industrial use, its violation of the current Comprehensive Plan and an example of spot zoning, lack of meaningful public input and the opportunity to weigh in on similar projects, negative impacts from data centers on people, their homes, and the environment, noise and light pollution, loss of wildlife habitat, excessive dust during construction, industry being emphasized over individuals, potential use of eminent domain, decrease in home values, the need for blasting rock and potential damage to homes, and a potential 836± acre industrial development in the center of a rural community.

- Mr. Nick Sabadosh, District 2
- Mr. Ron Bockrath, District 2
- Ms. Connie Lytten, District 2
- Mr. Robert Lytten, District 2

Executive Session - In accordance with O.C.G.A. § 50-14-2

There were no issues to be discussed in Executive Session.

Adjournment

Motion to: Adjourn

The Board voted to adjourn the meeting.

RESULT: Passed (UNANIMOUS)

MOVER: John Reidelbach

SECONDER: Bob Blackburn

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