



Coweta County Board of Commissioners

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

Work Session

Minutes

Shannon Zerangue
Fran Collins
770.254.2601

October 16, 2025

9:00 AM

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	Present
Michael Fouts	County Administrator	Present
Kelly Mickle	Assistant County Administrator	Present
Sandy Wisenbaker	Assistant County Administrator	Absent
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 Work Session on Thursday, October 16, 2025.

Meeting Called to Order

Chairman McKenzie called the meeting to order at 9:00 a.m.

Pledge of Allegiance

Chairman McKenzie led the Pledge of Allegiance.

Invocation

Invocation was given by Commissioner Smith.

Regular Session

1. Discussion Regarding a Proposed Noise Ordinance

Administrator Fouts explained that over the past several years numerous inquiries have been received from citizens, staff and the Board regarding a Noise Ordinance, especially during nighttime or quiet hours. Currently, there are no regulations in the *Coweta County Code of Ordinances* other than specific zoning conditions for certain properties (i.e. *Special Use Permit* for a wedding venue), which typically limits noise levels at 45 decibels (dBA) at the property line. Other than those cases, there are no restrictions on noise. Staff has researched several different ordinances, received feedback from citizens, and has drafted an ordinance for the Board's consideration and feedback. He further explained that Chief Code Enforcement Officer Tim Shelnut is present to field any questions from the Board. Unfortunately, Major Mark Fenninger and Captain Chuck Smith from the Sheriff's Office could not be present because they are in training, but staff engaged with them to determine the best means to craft an ordinance that they could implement that would be reasonable, and that did not rely on technical equipment to enforce.

Administrator Fouts provided a high-level overview and explained that in general, the ordinance is written to define "noise" inside and outside a structure or dwelling. The ordinance is intended to be residential in nature with set limits for weekdays and weekends. He pointed out several important exemptions, including firearms, church bells and chimes, organized sports league practices and events, customary functions for schools and athletic events, public safety vehicles and sirens, burglar alarms, automobile alarms (with duration limits), aircraft (regulated by the FAA), parades, celebrations, festivals, events that are permitted locally, federally, or by the State, agricultural activities, residential air-conditioning units, pool filters, and properties subject to additional regulations (i.e. a condition of zoning) that would take precedence, etc. In addition, he noted that the Senoia Raceway operates under a federal consent order which means the Board cannot impose any regulations on noise or time limits at this venue. As the ordinance is currently written, someone could file a temporary variance application for the Board's consideration based upon the merits of the request. A few more exemptions include animal vocalizations, which are already defined in the *Animal Services Ordinance*, timing limits for landscaping, yard maintenance, and construction near residential areas, etc. He explained that penalties/fines are aligned with other code violations, which are \$1,000.00 per day and those cases are addressed in the Coweta County Magistrate Court.

Administrator Fouts explained that approximately 90% of noise complaints received by the Sheriff's Office are related to people playing loud music in the evening at large gatherings or parties. The Sheriff's Office will visit the home/event/venue, the music will be turned down for an hour or two, then it gets turned back up. The pattern is repeated when 911 receives another call, and currently, there is no means of enforcement unless it is

considered disturbing the peace. Obviously, the Sheriff's Office has limited resources and higher priority issues to focus on, so the noise complaint becomes a low priority.

Chief Code Enforcement Officer Shelnutt explained that the largest number of noise complaints received by his department is from trash pickup in subdivisions and commercial trash pickup near residential properties. These are usually resolved quickly with a phone call to that company. He receives about ten (10) complaints a year, mostly around the holidays. The next largest number of noise complaints he receives (8–10 per year) is regarding music, and firearm discharge is normally the least number of calls received. When responding to a noise complaint, Code Enforcement staff first tries to educate the person and the majority of the time it is 99.9% effective.

In response to questions from the Board, Administrator Fouts explained that generally, when Code Enforcement responds to a complaint, they try to educate the person and issue a warning. If the situation is habitual, they would then impose violations of the associated ordinance. A temporary variance means a one-time situation and probably should be designated by a Code Enforcement staff member.

In response to a question from Commissioner Smith, Chief Code Enforcement Officer Shelnutt explained that he generally feels safe responding to noise complaints and pointed out that he has built many relationships over his 25-year career. If he or his staff feel that they may be responding to an incident where drugs are involved, they may seek assistance from the Sheriff's Office.

The Board discussed extending the hours on weekends, parties at rental homes, exemptions for firearms, fireworks on holidays, supporting law enforcement by having an ordinance, logging of activities, noise from automobiles and State Law, chickens and the *Backyard Chicken Ordinance*, agricultural exemptions, outside parties, reasonable distances, and existing noise complaints.

County Attorney Lee explained that it is important for a noise ordinance not to violate the First Amendment. He recommended following the input received from the Sheriff's Office including not requiring measurements of sound using decibel meters and utilizing reasonable distance measurements for audible noises heard inside a sealed dwelling (100 feet away) and from outside the residence (300 feet) from where the noise originates based on case law. He also explained that the ordinance can always be amended if necessary, and noted that if a complaint goes to Magistrate Court, a witness will have to be present to testify.

Chairman McKenzie expressed concerns regarding extending hours on weekends and what reasonable hours would be for elderly citizens, those that get up early for church, etc., but noted that the ordinance can be amended if needed.

Administrator Fouts explained that the amendments discussed today (noise audible within dwellings, noise audible outside of dwellings, exemption of all discharge from firearms) will be added to the draft ordinance and staff will place it on the November 4, 2025, agenda for consideration by the Board. In closing, he noted that because the ordinance will not be incorporated into the *Zoning and Development Ordinance*, no Public Hearing is required by law.

2. Discussion Regarding a Proposed Data Center Ordinance

Administrator Fouts explained that at the Public Hearing held on May 6, 2025, the Board voted to enact a moratorium on accepting new applications associated with data centers and that moratorium expires in early November. Staff drafted the first version of the *Data Center Ordinance* and presented it to the Board for consideration at a Public Hearing held on July 15, 2025. At that meeting, the Board voted to continue the Public Hearing until August 19, 2025. On August 19th, the Board voted to set a Called Meeting/Public Hearing on September 11, 2025, in order to garner additional public input. Following that meeting, a website was created to garner additional feedback from the public. To date, a tremendous amount of feedback has been received, and he expressed appreciation to all those that responded both on the website and via email. In addition to staff, the Board has also received and read many of those emails.

Administrator Fouts explained that the first version of the *Data Center Ordinance* took a different approach and looked at data centers as a land use that would require zoning. The second version allows a data center as a permitted land use in certain zoning classifications. Staff has categorized feedback into four or five specific areas. The following are some fundamental questions that require direction from the Board:

- Whether to exclude crypto-mining from the ordinance.
- Whether data centers should be defined by size or scale (square footage, electric load, etc.). He explained that if defined by size, a data center could be a single building consisting of up to 500,000 square feet with less than a 50MWh electric load. A data center campus could be defined as a singular property that has more than one (1) data center building and an electrical load greater than 500MWh. If defined by scale, then a building size of 100,000 square feet could be considered as small, medium could be defined as 100,000 square feet to 500,000 square feet, and large could be defined as anything over 500,000 square feet or hyperscale.
- Whether data centers be allowed by right (a permitted use) or through a conditional use which requires a rezoning petition and a Public Hearing. He explained that if allowed by right (and the applicant already has the appropriate zoning), site-specific zoning conditions cannot be imposed to the ordinance requirements. If allowed as a conditional use, should the use be based on the size or scale (data center versus a data center campus), and what zoning district is most applicable (*LM-Light Industrial* or *M-Industrial*)? If allowed as a conditional use, the application would be submitted to the Board of Zoning Appeals (BOZA) for a Public

Hearing, and then a recommendation would be made to the Board of Commissioners. The Commissioners may impose petition/site-specific zoning conditions (i.e. road improvements, additional buffering, etc.). Also, if allowed as a conditional use, should the regulations require community meetings in advance of the required Public Hearing?

- Whether data centers should be limited to specific Character Areas (Employment Area, Industrial, Interstate Gateway, etc.) of the Comprehensive Plan, and if so, which Character Areas? If so, should contiguous property be considered? Is there a minimum requirement to define contiguous property to property within the Character Area? He explained that State Law defines "contiguous area" for annexations as at least one-eighth of the aggregate external boundary or 50 feet, whichever is less. If not, are there suitable areas in the county for data centers, and how are those areas identified? Should the *Data Center Ordinance* contain decommissioning regulations? Should those regulations be tied to location? If a data center is located in an industrial park, and it can be adapted and reused in a different manner, decommissioning may not be required, but if located in an area that does not have infrastructure, and it may not be used for anything but a data center, then it would need some decommissioning. A bond would be required every year or some type of monetary contribution at the annual business license renewal, so that if the data center ceases to operate there are funds available to go in and clean up the property. If a property is rezoned to *M (Industrial)* for a data center, then a decommissioning plan could also be required as a condition of zoning.
- The *LM (Light Industrial)* district and the *M (Industrial)* district are designed to allow uses located either on arterial or major collector streets or within industrial parks having access to thoroughfares. In addition to the existing *LM* and *M* district standards, should the *Data Center Ordinance* establish minimum requirements for data centers? If so, should these standards be based upon the size and scale (data center versus data center campus)?

In response to questions from the Board regarding road infrastructure, Public Works Administrator Handley explained that in regard to construction traffic, typically for a period of time after the property is rezoned, or if it is already zoned, when construction plans are being developed for the project, staff will stipulate that any type of transportation improvements need to be constructed in the same timeline as grading for the site. When the developer reaches the point of actually constructing a building, and they've already constructed those roadway transportation improvements, they are under construction in that same time frame as well. Staff prefers that the roadway improvements be performed in conjunction with the grading of the site while they are trying to balance the earthwork so that they can cut and fill and use that material. It gets more expensive to haul materials into or out of a site.

Administrator Fouts explained that a Land Disturbance Permit (LDP) could be issued prior to the issuance of a building permit. They could also be required to make those improvements as a condition of zoning. In addition to State regulations, *Chapter 30. Environment of the Coweta County Code of Ordinances* regulates soil erosion, sedimentation, and pollution control.

- If data centers are allowed as a conditional use (requiring a zoning petition/public hearing), should the data center ordinance require a pre-application environmental impact assessment?
- Understanding that air quality permitting is required by the Georgia Environmental Protection Division (EPD), should the data center ordinance contain any further air quality regulations specific to generators?
- The draft data center ordinance included site lighting regulations. Should the data center ordinance contain any further regulations as to lighting and/or light pollution?
- The draft data center ordinance includes language to require the applicant to provide "will serve" letters from applicable utility providers. Should the data center ordinance contain further regulations to require closed-loop systems for cooling and ventilation?

In response to questions from the Board, Georgia Power Area Manager Jeff Butterworth, explained that when a project requests service, Georgia Power conducts a feasibility study to determine if the request can be met. He noted that a Public Service Commission (PSC) ruling prevents Georgia Power from passing infrastructure costs from large-load customers, such as data centers, onto residential consumers. Because large loads can significantly impact the system, these requests require more detailed studies to protect both the grid and other customers. He added that service agreements for such projects depend on financial terms negotiated directly between the utility and the customer. He offered to work with staff and the Board to refine the language in the data center ordinance to ensure it aligns with their intent and avoids unintended consequences.

County Attorney Lee explained that utilities are unlikely to share their service contracts with the Board because they are proprietary. However, providing proof of power availability, such as a "will-serve" letter, is a sufficient alternative.

Administrator Fouts stated that the only approved data center had six months to provide a "will-serve" letter, and that deadline is today. The current draft ordinance does not include a time limit, but timelines could be added either as a zoning condition or within the ordinance itself. The draft also requires written verification of adequate utility capacity, and staff will work with utility partners to refine the language.

Mr. Jay Boren, Chief Executive Officer, Coweta County Water & Sewerage Authority

(CCW&SA) explained that his main concern with the proposed data center ordinance is how it addresses existing water supply lines. When the Authority evaluates new projects, they almost always require infrastructure expansion or upgrades, which are typically funded by the project itself, not by residents. He noted that the draft ordinance wording could be easily adjusted to clarify that the CCW&SA can issue a “will-serve” letter once it determines service feasibility. He emphasized that the Authority is already state-regulated, so additional local regulation isn’t necessary. He explained that the CCW&SA has a state-approved water withdrawal from the Chattahoochee River, achieved after more than a decade, with capacity to expand as the county grows. Historically, the Authority has provided service to large, heavy water-using industries (e.g., manufacturers in Bridgeport and Shenandoah industrial parks) without issue. He cautioned that limiting industries like data centers, battery manufacturers, or solar production facilities based on water use could harm the county’s economic growth and infrastructure funding. Heavy industrial users are essential to offset the enormous infrastructure costs, such as the \$144 million expansion at the BT Brown facility, and the expansion at their Shenandoah waste water treatment plant to the pump station on the Chattahoochee. Without such industries, those costs would shift to residents, leading to rate increases of 10–20% per year, similar to neighboring municipalities. Mr. Boren concluded that the issue is not about capacity, but about preserving flexibility and attracting industry. He urged officials to let the CCW&SA determine service capability and allow Georgia Power to handle its own regulatory obligations, rather than imposing new local restrictions.

Mr. Roger Dawson, Chief Financial Officer, Coweta County Water & Sewerage Authority (CCW&SA), provided a brief overview of the financial and operational aspects of maintaining, operating, and expanding Coweta County’s water and sewer infrastructure. He emphasized that this is a long-term, costly process often requiring years or decades for planning, permitting, and construction to meet the county’s growth needs. As part of the CCW&SA’s long-term planning, a 2023 revenue sufficiency study was conducted before issuing bonds to fund several major infrastructure projects. These include improvements to the B.T. Brown Reservoir and capabilities at the water treatment plant, expansion of the Shenandoah Wastewater Treatment Facility, and construction of the Chattahoochee River water intake pump station and transmission main. These projects are essential to support both current and future residential and industrial/commercial demands. The study underscored the critical financial role of industrial and commercial customers, who generate significant revenue to fund infrastructure and operations. The analysis recommended that the Authority would need to continue annual rate adjustments of about 2.5%, with potential additional increases of 2.75% annually for 2027–2029 if industrial growth does not occur. However, steady industrial growth (e.g., an additional 500,000 gallons per day of water use between 2027–2033) could help offset or eliminate some of these increases. Mr. Dawson stressed that industrial and commercial users pay for the infrastructure needed to connect to the system and for the capacity to supply and treat their water, preventing those costs from falling on residential customers. Therefore, industrial growth helps keep residential rates low. He also addressed public concerns

about water withdrawals from the Chattahoochee River, assuring that all withdrawals are strictly regulated and permitted by the Environmental Protection Division (EPD) and the Environmental Protection Agency (EPA) to prevent environmental harm. In closing, he cautioned that limiting large industrial water users could shift financial burdens onto individual residents through higher rates, since the Authority's only source of revenue is through customer billing. He urged commissioners to weigh this carefully when making policy decisions affecting industrial water use and development.

Administrator Fouts explained that there are a few other additional policy considerations.

- Should the data center ordinance regulate a maximum number of data centers in the unincorporated area of the county, and if so, how is the geographic area defined?
- Should the data center ordinance regulate a minimum distance between data center developments? If so, would this be based on the size and scale (data center vs data center campus)? If so, what is the method of measurement (road miles, property line to property line, etc.). If so, what is the recommended distance between data centers?

Administrator Fouts continued that the draft data center ordinance includes noise standards, including a pre-development noise survey, daytime and nighttime parameters, and limitations for generator testing. These noise standards would apply once the project receives a Certificate of Occupancy (CO).

- Should the data center ordinance set forth specific construction standards (days and times, noise limitations, etc.)?
- Currently, tax incentives for economic development projects are reviewed on a case-by-case basis. In addition to a fiscal analysis, metrics include targeted industry, investment, job growth. Should the data center ordinance include any regulations regarding local tax incentives?

In response to questions from the Board, Coweta County Fire Rescue Chief Robby Flannagan explained that large structures, known as megasites, require extensive planning and coordination. While no single fire department is fully equipped to handle a major megasite fire alone, Coweta County Fire Rescue is committed to training, preparation, and working with other agencies when needed. Chief Flannagan noted that the department already pre-plans responses for existing megasites and ensures compliance with state fire safety regulations such as sprinklers and firewalls. He emphasized that all fire departments, including his own, continually need more personnel, equipment, and stations. The department has consulted with Loudoun County, Virginia's fire department for insights, focusing on whether Coweta has the proper fire protection and whether new

megasites meet state codes. Coweta can also call upon statewide resources for assistance. Chief Flannagan recommended acquiring an additional ladder truck, though there is currently a 36-month wait time. He also explained that fire suppression systems vary depending on the data center's contents, which affects fire control and containment. He also stressed the importance of pre-planning and coordination with 911, EMS, law enforcement, and site security to ensure emergency access to all facilities.

Administrator Fouts stated that discussions with Fire Rescue staff have included a review of *Chapter 34: Fire Protection and Prevention of the Coweta County Code of Ordinance* to identify ways to strengthen it for specific uses like megasites. He noted that the Fire Department plans several years in advance for equipment and capital needs, and the use of funding sources such as Special Purpose Local Option Sales Tax (SPLOST). However, when a particular project or user creates specific demands, zoning conditions may require the applicant to contribute to or fully fund necessary fire protection resources.

Chairman McKenzie expressed appreciation to the men and women of Coweta County Fire Rescue for the amazing job they do.

During the meeting, the Board provided direction to staff regarding updates to the draft data center ordinance, including the following:

- Exclusion of crypto mining.
- Use definitions of a data center and a data center campus as written by staff but remove power usage as part of the definition.
- Data centers are allowed as conditional use in *LM (Light Industrial)* zoned districts and require the developer to hold community meetings prior to the public hearing.
- Data center and data center campuses are allowed by right in *M (Industrial)* zoned districts; re-zoning of property to *M (Industrial)* zoning will require the developer to hold community meetings prior to the public hearing.
- Do not limit data centers to certain character areas.
- Include decommissioning regulations and/or plan as a zoning condition (if applicable).
- Require bonds during construction to cover any damage to roads and require transportation improvements to be completed before a building permit is issued through zoning conditions.
- Staff will continue to research the environmental impact assessment.
- Staff will research a lumens requirement for "night sky darkness".
- Work with utilities on language in the ordinance regarding 'will serve', existing supply lines and expansion of existing supply lines.
- Prohibit open-loop cooling systems.
- No set limit on the number of data centers allowed.
- No set distance between data centers.
- No change to noise standards.

- Continue to look at tax incentives for economic development on a case-by-case basis and do not require any financial information as part of the re-zoning process.

Administrator Fouts pointed out that staff will take all the feedback and work on the next draft.

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: Bob Blackburn

SECONDER: Alphonso Smith

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