



Coweta County Board of Commissioners

Public Hearing/Regular Session

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

Shannon Zerangue
770.254.2601

Tuesday, November 16, 2021

6:00 PM

Commission Chambers

~ Minutes ~

COWETA COUNTY BOARD OF COMMISSIONERS

Call to Order

Attendee Name	Title	Status	Arrived
Bob Blackburn	District 3 - Chairman	Present	
Tim Lassetter	District 2 - Vice Chairman	Present	
Paul Poole	District 1	Present	
John Reidelbach	District 4	Present	
Al Smith	District 5	Present	
Michael Fouts	County Administrator	Present	
Kelly Mickle	Assistant Administrator	Present	
Eddie Whitlock	Associate Administrator	Absent	
Nathan Lee	Assistant 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 November 16, 2021.

Meeting Called to Order

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

Pledge of Allegiance

Eagle Scout Candidate Cole Goembel from Troop 897 led the Pledge of Allegiance.

Invocation

Invocation was given by Commissioner Smith.

Notification of Location of Rules

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

REGULAR SESSION

AWARDS AND PRESENTATIONS

1. 12628 Request Approval of an Eagle Scout Project at the Tommy Thompson Senior Center - 3rd District

Scout Cole Goembel from Troop 897 explained that as part of his Eagle Scout project he would like to fund and construct raised gardening beds, benches, and new shrubbery at the Tommy Thompson Senior Center.

Commissioner Lassetter expressed appreciation to Scout Goembel for planning a project at the Senior Center and for his efforts to benefit members of the community.

The Board voted to approve a request from Cole Goembel to fund and construct improvements at the Tommy Thompson Senior Center as his project to earn the rank of Eagle Scout.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: John Reidelbach, District 4
SECONDER: Tim Lassetter, District 2 - Vice Chairman
AYES: Blackburn, Lassetter, Poole, Reidelbach, Smith

Recognition of the Coweta Cares Program

Administrator Fouts explained that the Coweta County recently received the 2021 ACCG County of Excellence Award for the Coweta Cares Program. He further explained that the program is a partnership between Coweta Fire Rescue and Pathways for a mental/behavioral health program.

Commissioner Reidelbach presented Fire Chief Robby Flanagan with a plaque recognizing the 2021 ACCG County of Excellence Award for the Coweta Cares Program.

APPROVAL OF MINUTES

2. Minutes of Tuesday, November 02, 2021

The Board voted to approve the minutes from the Regular Meeting Session held on November 2, 2021.

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

SUPPLEMENTAL AND NON-AGENDA ITEMS

Motion To: **Approve Supplemental and/or Non-Agenda Items**

The Board voted to approve the addition of one (1) Non-Agenda item for discussion as presented by staff.

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

PUBLIC HEARING (The Chairman will Call for Any Comments Regarding the Following Items After Each Item is Presented)

3. Motion To: 12574 : New Package Beer & Wine License - Stop N Go (Exclusive 004 Inc.)

Assistant Community Development Director Angela White explained that Mr. Riyaz Samnani, license representative and owner of Stop N Go (Exclusive 004, Inc.), located at 53 Poplar Road, Newnan has applied for a new package beer and wine license. She further explained that the Business Tax Department has reviewed the application and finds that it is in order, meets the applicable requirements, and should be considered by the Board of Commissioners in accordance with *Chapter 6* of the *Coweta County Code of Ordinances*. The required background checks (GCIC) and fingerprint reports (GBI) for Mr. Samnani, as applicant for license representative of the establishment, are complete and show that he meets the requirements set forth in the *Alcohol Ordinance* to be the license representative.

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

Chairman Blackburn called for any comments in support of or in opposition to the new package beer and wine license. There were none.

The Board voted to close the Public Hearing regarding a new package beer and wine license filed by Mr. Riyaz Samnani, license representative and owner of Stop N Go (Exclusive 004, Inc.), located at 53 Poplar Road, Newnan.

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

- 12574 Public Hearing Regarding a New Package Beer and Wine License Filed by Riyaz Samnani in Operation of Stop N Go (Exclusive 004 Inc.) Located at 53 Poplar Road, Newnan - 2nd District

The Board voted to grant a new package beer and wine license to Mr. Riyaz Samnani, license representative and owner of Stop N Go (Exclusive 004, Inc.), located at 53 Poplar Road, Newnan.

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

4. 12589 Public Hearing Regarding a Proposed Amendment to Appendix A. Zoning and Development, Article 6. Exceptions and Modifications Associated with Replacement of a Manufactured or Mobile Dwelling

Community Development Director Jon Amason explained that the current *Zoning and Development Ordinance* provides for an existing manufactured home to be replaced by another manufactured home or a site-built residence consisting of a minimum of 1,725 square feet. He further explained that staff has drafted an amendment to the *Code of Ordinances* to provide another option for property owners. The proposed amendment would allow removal of an existing manufactured home and replacement with a new stick-built dwelling consisting of 1,250 heated square feet (in addition to the existing option of replacing the modular home of equal or greater square feet). The amendment provides two (2) options which include a reduction via an administrative review and approval for those that meet eligibility requirements or via a Special Use Permit (SUP) granted by the Board of Commissioners where a legal lot of record does not exist (i.e. an existing mobile home park).

In response to a question from Commissioner Reidelbach, Mr. Amason explained that the proposed amendment does not provide for property owners to replace a mobile home if it is considered "abandoned" as defined in the *Code of Ordinances*.

Commissioner Reidelbach suggested that the Board consider ways for a property owner to replace an abandoned mobile home to encourage improvement and decrease blight.

In response to a question from Chairman Blackburn, Mr. Amason explained that modular/pre-built and mobile homes are not excluded in the proposed amendment.

In response to questions from the Board, Administrator Fouts explained that a precedent was set in another area of the county where pre-built and modular homes were allowed as long as the structures had permanent foundations. He also explained that occupation by the owner (versus a tenant) is not a requirement, however, for an administrative reduction one of the eligibility criteria for a lot of record where a trailer or mobile home currently exists is that the structure has to be a legal non-conforming use that has not been abandoned pursuant to the current ordinance. Currently, a modular dwelling can be replaced with the same size or larger as long as it has not been abandoned. This proposed amendment keeps the same context

and language.

Commissioner Reidelbach expressed concerns with owners not being able to replace abandoned homes.

Administrator Fouts explained that option is not allowed in the proposed amendment.

Commissioner Smith expressed concerns with the owner of an abandoned trailer or the purchaser of an abandoned trailer not being allowed to replace the structure under the proposed amendment and that there is no further process for them to follow.

Administrator Fouts explained that should the Manufactured Home Compatibility Committee (MHCC) deny an application there is a process for an appeal of the decision to the Board. For an administrative reduction, there is not.

Assistant Community Development Director Angela White explained that there is a process through the Manufactured Home Compatibility Committee (MHCC) for abandoned structures if someone wishes to replace a mobile home with a manufactured home as long as it meets all the requirements. If the MHCC denies that request, an appeal can be filed within 30-days for a decision by the Board.

In response to comments from Commissioner Reidelbach, Administrator Fouts explained that in accordance with the current ordinance, if the home has been abandoned for a period of five (5) years it would not meet the requirements of an administrative reduction as proposed in the amendment.

Commissioner Smith expressed his belief that a simpler process should be available and that the language in the ordinance needs to be reviewed.

Administrator Fouts explained that there may be a non-conforming lot somewhere else in the county with a stick-built home that does not meet the current regulations and if the County is not going to allow that then staff needs to make sure it is consistent for all. He suggested that the discussion be deferred to a future meeting to allow staff to review.

Commissioner Lassetter explained that the Board has the option to continue the Public Hearing so that ideas and suggestions from the Board can be reviewed by staff and brought back to the Board for consideration at a future meeting.

Commissioner Smith explained that the objective is to give relief to a blighted area by allowing replacement of a trailer in disrepair with a stick-built home that meets current standards. Further, if there is no avenue for someone to replace an "abandoned" structure, it perpetuates blight.

Chairman Blackburn called for any comments in support of or in opposition to the proposed ordinance amendment. There were none.

The Board voted to continue the Public Hearing regarding a proposed amendment to *Appendix A. Zoning and Development, Article 6. Exceptions and Modifications Associated with Replacement of a Manufactured or Mobile Dwelling* of the Coweta County Code of Ordinances until December 2, 2021 at 6:00 p.m.

RESULT:	CONTINUED [UNANIMOUS]	Next: 12/2/2021 6:00 PM
MOVER:	John Reidelbach, District 4	
SECONDER:	Paul Poole, District 1	
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith	

5. Motion To: **12581 : 022-21 Cresswind at Spring Haven - Kolter Group Acquisitions, LLC**

Assistant Community Development Director White presented Petition # 022-21 filed by Kolter Group Acquisitions, LLC (aka Cresswind at Spring Haven) requesting to

rezone property located at Newnan Crossing Bypass, East Newnan Road, and Hwy. 29 South, Newnan [Parcels # 076-2040-002 (partial), 076-2040-002A, 076-2040-012, 087-2026-001 (partial), 087C-134, 088-2058-001A, 088-2039-001, and 088-2039-002] from *RC (Rural Conservation)* to *RRCC (Residential Retirement Community & Care District)* for a 55+ active adult retirement community. She explained that the subject property consists of 359.331± acres containing eight (8) total parcels primarily zoned *RC (Rural Conservation)* with small portions zoned *C (Old Commercial)*. She reviewed the proposed site plan, pointed out nearby roadways and proposed access points, and explained that the main entrance will be placed in conjunction with redesign of the entrance to the East Newnan Church campus. The applicant is proposing 750 homes, an amenity center, walking trails, swimming pool, and gardens. She also explained that the Banks Haven residence will not be included in the development. The development will feature a range of 40-feet to 70-feet wide lots and is generally consistent with the Comprehensive Plan and Growth Strategy. In closing, she highlighted the factors reviewed by staff during the rezoning process, and presented twenty-two (22) conditions for consideration by the Board should they chose to approve the request.

Ms. White fielded questions from the Board regarding requirements of the Development of Regional Impact (DRI), the request for the applicant to participate toward the costs of traffic signalization or other types of intersection improvements at the Bypass and SR 16, whether construction of the Harley Davidson dealership, East Newnan Church, or Orchard Hills Industrial Park triggered DRIs, whether the developer of the Orchard Hills Industrial Park was required to contribute toward the costs of intersection improvements, and the total mileage of private roadways in the development.

County Engineer Tod Handley fielded questions from the Board regarding the DRI requirements and County required intersection improvements for the Orchard Hills Business Park and Bridgeport Developments, and whether the County informed the State that traffic signalization at the Bypass with SR 16 intersection was necessary a few years ago.

Administrator Fouts explained that an intersection improvement project at the Bypass at SR 16 intersection was included as a Transportation Special Purpose Local Option Sales Tax (TSPLOST) project on the referendum which was voted down by the citizens of Coweta County.

Ms. White explained that DRIs historically required numerous transportation improvements which were then placed as conditions by staff; however, over time the DRIs have become "watered down" and now they show more interest in having sidewalks, trails, left/right turn lanes, emergency access easement, and coordination with the County.

Mr. Handley fielded questions from the Board regarding the estimated cost of the Bypass at SR 16 intersection improvement at the time it was proposed as a TSPLOST project.

Commissioner Lassetter added that he has served on Regional Commissions in the past and agreed with staff that DRIs used to be more detailed. Now, the burden falls on the local government more than it ever has in the past, and his assumption is that even though the church and the Harley dealership did not require a DRI, the County did not ask them to contribute to the signalization at the Bypass and SR 16.

Mr. Handley explained that the Harley Davidson dealership and East Newnan Church were there before the Bypass was designed and constructed.

Commissioner Poole expressed concerns with upkeep of the large number of private roads in the development because those citizens will expect the County to help with repairing holes and cracks if the HOA doesn't. He also expressed further concerns

because he has witnessed private developments fail.

Ms. White explained that the proposed development is private as are most of the *RRCC (Residential Retirement Community & Care District)* developments lately. There will be a Homeowner's Association (HOA) with fees to handle roadway issues, and that is why there is a proposed condition requiring the development to meet the County standards and specifications.

Assistant Attorney Lee explained that there is no guarantee that a development will not fold, that bonds can be required, that there is nothing to guard against Commissioner Poole's concern, and that the Board is not under obligation to repair private roads.

Commissioner Poole explained that there are currently many private roads in disrepair that are not being fixed. He is concerned with the number of private roads in this development and with the consumer that purchases a home and eventually has disintegrated roadways.

Ms. Melissa Griffis, applicant representative, expressed appreciation that Board members that were able to tour Cresswind's Peachtree City development. She explained that the subject property consists of 359.331± acres, and the developer is planning a resort style 55+ active adult retirement community. The amenity packages and daily events offered are attractive to buyers, and letters of support were obtained from adjoining property owners including East Newnan Baptist Church, Harley Davidson, the Banks Estate, and Mr. Woody Wood. She further explained that there are also variances to be considered later in the meeting. Lastly, the applicant is requesting to amend proposed *Condition # 15* to accommodate a partial/circular cul-de-sac for the church instead of a roundabout and *Condition # 19* to change the requirement that the amenity center to be completed prior to the issuance of the 300th Certificate of Occupancy (CO).

Chairman Blackburn called for comments in support of the proposed rezoning.

Mr. Brian Rochester with Rochester and Associates (project civil engineer) explained that later in the meeting the Board will hear variance requests associated with the development and requested that *Condition # 21* regarding fencing be amended based on variance request # 8, and that variance request # 2 be amended as discussed with County Engineer Handley.

County Engineer Handley fielded questions from the Board regarding rear setbacks on lots located along US 29 and whether the variance requests will affect any of the twenty-two (22) conditions of rezoning.

Mr. Larry Long, Vice-President of Kolter Group Acquisitions, explained that 150 homes will take approximately three (3) years to complete after construction begins and that owners will not be paying full HOA fees until the 300th unit is sold. He expressed appreciation to the Board members that visited Cresswind Peachtree City. He further explained that the proposed development will be a resort community focused on amenities that help with the process of aging by connecting others within the community. He also explained that Coweta has the demographics of income and leadership to support this development. He informed the Board that Kolter has communities in North Carolina, South Carolina, Georgia, and Florida. In closing he stated that the development will have a variety of 40-feet to 70-feet units, maintenance and landscaping will be provided, there will be a full-time event staff member, and they are honored to be part of the community.

Mr. Rob Jacquette, Traffic Engineer, explained that the stakeholders for the DRI process included the County, City of Newnan, Atlanta Regional Commission (ARC), the Georgia Department of Transportation (GDOT), and others. Four (4) impacts are required by the DRI and are conditioned. Regarding *Condition # 7*, he explained that traffic signals usually start at approximately \$200,000 and that

future developments in the area will also impact the Bypass and SR 16 intersection. He requested that the applicant only be required to pay \$200,000 in the form of a bond for 5-years for the future potential traffic signal.

Mr. Jeb Moody, Parks Avenue, Newnan, spoke in support of the development and on behalf of the Moody and Holland families. He expressed his belief that the development will be a huge asset to the county and appreciates the Board's consideration.

Chairman Blackburn called for comments in opposition to the rezoning.

Mr. Mark Bell, East Hill Street, Newnan, expressed concerns with impacts to wildlife, light and noise pollution, garbage collection times, run-off to the creek, and the rate of development in the county.

Mr. Stephen Holloway, East Gordon Road, expressed concerns with the size and proximity of the development to his home, failure of communities like Cresswind, allowing three years (3) to complete construction of 150 homes, being potentially annexed into the City of Newnan, increase in noise pollution and traffic, loss of privacy, and that the area can potentially increase to more than just 750 lots in the future.

In rebuttal, Ms. Griffis, explained that wildlife can remain on the large amounts of open space and buffers will be all around the property. Light and noise concerns will be minimal with the resort style living as proposed, Banks Haven is not part of the rezoning, annexation into the City of Newnan is not part of the request, and that the number of lots is restricted to 750 homes. Access from East Gordon Road was not part of the DRI and rezoning request, and lastly traffic calming measures are part of the conditions of rezoning.

The Board voted to close the Public Hearing regarding Petition # 022-21 filed by Kolter Group Acquisitions, LLC (aka Cresswind at Spring Haven) requesting to rezone property located at the Newnan Crossing Bypass, East Newnan Road, and Hwy. 29 South, Newnan [Parcels # 076-2040-002 (partial), 076-2040-002A, 076-2040-012, 087-2026-001 (partial), 087C-134, 088-2058-001A, 088-2039-001, and 088-2039-002] from *RC (Rural Conservation)* to *RRCC (Residential Retirement Community & Care District)*.

RESULT: PUBLIC HEARING CLOSED [UNANIMOUS]

MOVER: John Reidelbach, District 4

SECONDER: Paul Poole, District 1

AYES: Blackburn, Lassetter, Poole, Reidelbach, Smith

12581 Public Hearing Regarding Petition # 022-21 Filed by Kolter Group Acquisitions, LLC (aka Cresswind at Spring Haven) Requesting to Rezone Property Located Between Newnan Crossing Bypass, East Newnan Road, and S Hwy 29, Newnan - 2nd District

The Board voted to rezone property located at Newnan Crossing Bypass, East Newnan Road, and Hwy. 29 South, Newnan [Parcels # 076-2040-002 (partial), 076-2040-002A, 076-2040-012, 087-2026-001 (partial), 087C-134, 088-2058-001A, 088-2039-001, and 088-2039-002] from *RC (Rural Conservation)* to *RRCC (Residential Retirement Community & Care District)* as requested in Petition # 022-21 filed by Kolter Group Acquisitions, LLC (aka Cresswind at Spring Haven), subject to the following conditions:

1. The applicant shall meet all requirements of *Article 9A RRCC (Residential Retirement Community & Care District)* unless a variance is granted through the normal variance procedure.
2. The Deed Restriction and Homeowner's Association Requirements as stated

- in *Section 96A* and *97A* must be submitted and approved by the County Attorney.
3. The maximum number of lots is restricted to seven hundred fifty (750) for single-family detached homes.
 4. The applicant shall comply with all requirements of Coweta County's *Stormwater Management, Soil Erosion and Sedimentation Control, and Wetlands Protection Ordinance*.
 5. All applicable requirements of the Fire, Environmental Management or Building Department shall be met.
 6. The applicant shall obtain all necessary permits from the Georgia Department of Transportation (GDOT) for all required improvements within the GDOT right-of-way.
 7. The applicant shall contribute \$200,000 with a 5-year bond toward the costs of a traffic signal installation or other type of intersection improvement project that may be recommended through GDOT's Intersection Control Evaluation process for the intersection of the Bypass with SR 16.
 8. The applicant shall construct right turn lanes on the Bypass at each of the proposed entrances onto that corridor.
 9. The applicant shall construct left and right turn lanes at the full access drive onto US 29.
 10. The proposed emergency access drive shall be paved and gated.
 11. Road abandonments and roadway removal will be required for sections of East Gordon Road and Pearl Springs Drive that are currently public roadways.
 12. If the property is developed as a gated community, the roadways shall remain private but must be constructed to County standards and specifications.
 13. Intersection sight distance meeting American Association of Highway and Transportation Officials (AASHTO) requirements must be available from all proposed access points to the Bypass and US 29.
 14. The proposed roundabout on Pearl Springs Drive at the relocated entrance to East Newnan Baptist Church must be constructed to accommodate WB-62 truck/trailer combinations.
 15. Staff, the developer, and East Newnan Church shall mutually agree upon the design for the driveway to East Newnan Baptist Church.
 16. The applicant shall obliterate and restripe any pavement markings on the Bypass that may conflict with the proposed construction.
 17. The applicant shall perform a study to identify any graves within the development site to the west of the cemetery that exists within the right-of-way of the Bypass. Any additional gravesites that are discovered must be preserved.
 18. Pearl Lake Dam is an existing Category II Dam. The applicant shall provide a dam breach analysis in accordance with Georgia Safe Dams requirements to ensure that no homes are constructed within the breach zone of the lake.
 19. The proffered amenity center building shall be constructed prior to the issuance of the 315th site prep permit.

20. Applicant shall meet all conditions of the DRI # 3316 including the following:
- Coordinate with Coweta County to provide sidewalks and trails throughout the development, per the requirements of Coweta County's ordinance.
 - Install a left turn lane and a right turn deceleration lane at the proposed driveway OR alternative access improvements if determined in GDOT's Intersection Control Evaluation process, per GDOT specifications and approval.
 - Provide the proposed emergency access easement as depicted on the Site Plan dated June 11, 2021, per Coweta County and GDOT approval.
 - Coordinate with Coweta County to determine the appropriate access control and turn lane requirements for the DRI driveways on Newnan Crossing Bypass. Install the driveways and any required access control and turn lanes, per Coweta County specifications and approval.
21. Applicant shall include a 6-foot opaque decorative composite fence within the buffer of the subject property that adjoins the *RC (Rural Conservation)* Zoning District. If the buffer is removed via a variance, the 6-foot fence is to remain.
22. A wide variety of house designs ensuring no mass repetition shall be utilized within the development.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tim Lassetter, District 2 - Vice Chairman
SECONDER:	John Reidelbach, District 4
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith

REGULAR SESSION

PUBLIC COMMENT (Items on the Agenda)

Public Comments Regarding Items On the Agenda

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

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

6. 12603 Recommendations Regarding Petition # ZA 045-21 Filed by Kolter Group Acquisitions, LLC (dba Cresswind at Spring Haven) Requesting Minimum Lot Size, Front, Side, and Rear Yard Setback, Minimum Lot Width, Minimum Floor Area, Buffer, Street Design, Building Design, QCD, and Tree Preservation Variances for Property Located at the Newnan Crossing Bypass, Hwy. 29 South, and East Newnan Road, Newnan

Assistant Community Development Director White presented Petition # ZA 045-21 filed by Kolter Group Acquisitions, LLC requesting minimum lot size, minimum front yard setback, minimum side yard setback (2), minimum rear yard setback, minimum lot width, minimum floor area per unit, buffer requirement, street design/width, building design, overlay district, and tree preservation variances for property located between the Newnan Crossing Bypass, East Newnan Road, and S. Hwy. 29, Newnan [Parcels # 076-2040-002 (partial), # 076-2040-002A, # 076-2040-12, # 087-2026-001 (partial), # 087C-134, # 088-2058-001A, # 088-2039-001, and # 088-2039-002]. She also informed the Board that the applicant

withdrew three (3) of the variance requests prior to tonight's meeting. She explained that the subject property consists of 359.351± acres contained within eight (8) parcels currently zoned *RC (Rural Conservation)*, and in conjunction with the variance requests, the applicant submitted Petition # 022-21 requesting to rezone the property to *RRCC (Residential Retirement Community Care District)* for a 750-unit development.

RESULT: PRESENTED

Motion To: **Grant Minimum Lot Size Variance**

Assistant Community Development Director White explained that the applicant is requesting a 3,500 minimum lot size reduction (from 8,500 square feet to 5,000 square feet). She reviewed the factors considered by staff during the application process, explained that the Board of Zoning Appeals recommended approval of the variance, and presented two (2) conditions for consideration by the Board should they choose to grant the request.

The Board vote to grant a 3,500 square feet minimum lot size reduction (from 8,500 square feet to 5,000 square feet) for property located between the Newnan Crossing Bypass, East Newnan Road, and S. Hwy. 29, Newnan [Parcels # 076-2040-002 (partial), # 076-2040-002A, # 076-2040-12, # 087-2026-001 (partial), # 087C-134, # 088-2058-001A, # 088-2039-001, and # 088-2039-002] as requested in Petition # ZA 045-21 filed by Kolter Group Acquisitions, LLC, subject to the following conditions:

1. The minimum lot size shall be no smaller than 5,000 square feet.
2. The overall development shall maintain the 2.08 density units per acre with no more than 15% of the development lots being sized at 5,000 square feet.

RESULT: GRANTED [UNANIMOUS]
MOVER: Tim Lassetter, District 2 - Vice Chairman
SECONDER: John Reidelbach, District 4
AYES: Blackburn, Lassetter, Poole, Reidelbach, Smith

Motion To: **Grant Minimum Front Yard Setback Variance**

Assistant Community Development Director White explained that the applicant is requesting a 50-foot front yard setback reduction (from 135-feet to 85-feet) along Newnan Crossing Bypass and Hwy. 29 South. She reviewed the factors considered by staff during the application process and explained that staff does not support this request because future widening of Hwy. 29 South will impact adjoining lots and because of the current placement of utilities along Newnan Crossing Bypass the applicant will not gain any square footage. She further explained that the Board of Zoning Appeals voted to recommend denial of the variance to the Board of Commissioners.

The Board voted to grant front yard setbacks along the Newnan Crossing Bypass and Hwy. 29 South as proposed by County Engineer Tod Handley for Petition # ZA 045-21 filed by Kolter Group Acquisitions, LLC for property located between Newnan Crossing Bypass, East Newnan Road, and S. Hwy. 29, Newnan [Parcels # 076-2040-002 (partial), # 076-2040-002A, # 076-2040-12, # 087-2026-001 (partial), # 087C-134, # 088-2058-001A, # 088-2039-001, and # 088-2039-002], subject to the following condition:

1. Building setbacks from the centerline of US 29 shall be established based upon the lot table exhibit titled "Cresswind Spring Haven SR 29 Proposed Setbacks" and the lot designation plan titled "Cresswind Spring Haven Hwy 29 R_W Exhibit 11-12-

21_red".

RESULT: **GRANTED [UNANIMOUS]**
MOVER: Tim Lassetter, District 2 - Vice Chairman
SECONDER: John Reidelbach, District 4
AYES: Blackburn, Lassetter, Poole, Reidelbach, Smith

Motion To: **Grant Minimum Side Yard Setback Variance**

Assistant Community Development Director White explained that the applicant is requesting a 5-foot minimum side yard setback reduction (from 10-feet to 5-feet). She reviewed the factors considered by staff during the application process, explained that the Board of Zoning Appeals recommended approval of the variance, and presented one (1) condition for consideration by the Board should they choose to grant the request.

In response to a question from Commissioner Smith, Tony Adams, Regional Vice President for Kolter Homes, explained that the siding utilized on homes will be a hardi-plank type material.

The Board voted to grant a 5-foot side yard setback reduction (from 10-feet to 5-feet) for property located between the Newnan Crossing Bypass, East Newnan Road, and S. Hwy. 29, Newnan [Parcels # 076-2040-002 (partial), # 076-2040-002A, # 076-2040-12, # 087-2026-001 (partial), # 087C-134, # 088-2058-001A, # 088-2039-001, and # 088-2039-002] as requested in Petition # ZA 045-21 filed by Kolter Group Acquisitions, LLC, subject to the following condition:

1. The minimum side yard setback reduction shall not exceed the requested 5-feet.

RESULT: **GRANTED [UNANIMOUS]**
MOVER: Tim Lassetter, District 2 - Vice Chairman
SECONDER: John Reidelbach, District 4
AYES: Blackburn, Lassetter, Poole, Reidelbach, Smith

Motion To: **Minimum Side Yard Setback (Golf Cart Garages) Variance - WITHDRAWN BY APPLICANT**

Assistant Community Development Director White explained that the applicant withdrew a request for a 6-foot side yard setback reduction (from 10-feet to 4-feet) with a 2-hour rated wall for golf cart garages for property located between the Newnan Crossing Bypass, East Newnan Road, and S. Hwy. 29, Newnan [Parcels # 076-2040-002 (partial), # 076-2040-002A, # 076-2040-12, # 087-2026-001 (partial), # 087C-134, # 088-2058-001A, # 088-2039-001, and # 088-2039-002] as requested in Petition # ZA 045-21 filed by Kolter Group Acquisitions, LLC prior to the beginning of the meeting.

RESULT: **WITHDRAWN NO VOTE**

Motion To: **Grant Minimum Rear Yard Setback Variance**

Assistant Community Development Director White explained that the applicant is requesting a 30-foot rear yard setback reduction (from 40-feet to 10-feet). She reviewed the factors considered by staff during the application process, explained that the Board of Zoning appeals recommended approval of the variance, and presented two (2) conditions for consideration by the Board should they choose to grant the request.

The Board voted to grant a 30-foot rear yard setback reduction (from 40-feet to 10-feet) for property located between the Newnan Crossing Bypass, East Newnan

Road, and S. Hwy. 29, Newnan [Parcels # 076-2040-002 (partial), # 076-2040-002A, # 076-2040-12, # 087-2026-001 (partial), # 087C-134, # 088-2058-001A, # 088-2039-001, and # 088-2039-002] as requested in Petition # ZA 045-21 filed by Kolter Group Acquisitions, LLC, subject to the following conditions:

1. The rear yard reduction shall not exceed the requested 30-feet reduction.
2. All rear yards must abut open space.

RESULT: GRANTED [UNANIMOUS]
MOVER: Tim Lassetter, District 2 - Vice Chairman
SECONDER: John Reidelbach, District 4
AYES: Blackburn, Lassetter, Poole, Reidelbach, Smith

Motion To: Grant Minimum Lot Width Variance

Assistant Community Development Director White explained that the applicant is requesting a 20-foot minimum lot width reduction (from 60-feet to 40-feet). She reviewed the factors considered by staff during the application process, explained that the Board of Zoning Appeal recommended approval of the variance, and presented two (2) conditions for consideration by the Board should the choose to grant the request.

In response to a question from the Commissioner Smith, Ms. White explained that the number of lots and percentages will be tracked through the Accela software system utilized by Community Development.

In response to a question from Commissioner Lassetter, Ms. White explained that she could not recall why the Board of Zoning Appeals voted to amend the original conditions recommended by staff and that the applicant representative may be able to provide further information.

Ms. Melissa Griffis, applicant representative, clarified that at the Board of Zoning Appeals, the issue with the original conditions as proposed by staff was with limiting the 50-foot products to 26% of the development. She explained that the 50-foot product is the majority of product sold and the applicant does not want to limit the ability to sell to buyers that can afford the 40-foot and 50-foot product but can't afford the 60-foot or 70-foot product. She requested that no percentage limitations be set on the 50-foot, 60-foot, and 70-foot product to keep a mixed opportunity in the development.

Commissioner Lassetter expressed his concerns with the 40-foot product.

The Board voted to grant a 20-foot lot width reduction (from 60-feet to 40-feet) for property located between the Newnan Crossing Bypass, East Newnan Road, and S. Hwy. 29, Newnan [Parcels # 076-2040-002 (partial), # 076-2040-002A, # 076-2040-12, # 087-2026-001 (partial), # 087C-134, # 088-2058-001A, # 088-2039-001, and # 088-2039-002] as requested in Petition # ZA 045-21 filed by Kolter Group Acquisitions, LLC, subject to the following amended conditions:

1. For 40-foot lots, the reduction shall be limited to 20-feet, and the number of 40-foot lots are limited to no more than 10% of the total development (75 lots).

RESULT: GRANTED [UNANIMOUS]
MOVER: Tim Lassetter, District 2 - Vice Chairman
SECONDER: John Reidelbach, District 4
AYES: Blackburn, Lassetter, Poole, Reidelbach, Smith

Motion To: Minimum Floor Area Per Unit Variance - WITHDRAWN BY APPLICANT

Assistant Community Development Director White explained that the applicant withdrew a request for a 181-square foot minimum floor area reduction (from 1,500-square feet to 1,319-square feet) for property located between the Newnan Crossing Bypass, East Newnan Road, and S. Hwy. 29, Newnan [Parcels # 076-2040-002 (partial), # 076-2040-002A, # 076-2040-12, # 087-2026-001 (partial), # 087C-134, # 088-2058-001A, # 088-2039-001, and # 088-2039-002] as requested in Petition # ZA 045-21 filed by Kolter Group Acquisitions, LLC prior to the meeting.

RESULT: WITHDRAWN NO VOTE

Motion To: **Grant Buffer Requirement Variance**

Assistant Community Development Director White explained that the applicant is requesting the option of a 50-foot buffer or a 6-foot privacy fence along abutting properties zoned *RC (Rural Conservation)*. She reviewed the factors considered by staff during the application process, explained that the Board of Zoning Appeals recommended approval, and presented two (2) conditions for consideration by the Board should they choose to grant the request.

In response to a question from Commissioner Smith, Ms. White explained that where a 6-foot opaque decorative composite fence cannot be installed, the applicant will install a buffer.

The Board voted to grant a variance allowing either a 50-foot buffer or a 6-foot privacy fence abutting properties zoned *RC (Rural Conservation)* for property located between the Newnan Crossing Bypass, East Newnan Road, and S. Hwy. 29, Newnan [Parcels # 076-2040-002 (partial), # 076-2040-002A, # 076-2040-12, # 087-2026-001 (partial), # 087C-134, # 088-2058-001A, # 088-2039-001, and # 088-2039-002] as requested in Petition # ZA 045-21 filed by Kolter Group Acquisitions, LLC, subject to the following conditions:

1. Where a 50-foot buffer is not possible, a 6-foot opaque decorative composite fence shall be installed.
2. The fence shall be maintained and shall be replaced at the County's discretion by the Homeowners' Association/property owner.

RESULT: GRANTED [UNANIMOUS]
MOVER: Tim Lassetter, District 2 - Vice Chairman
SECONDER: John Reidelbach, District 4
AYES: Blackburn, Lassetter, Poole, Reidelbach, Smith

Motion To: **Grant Street Design/Street Width Variance**

Assistant Community Development Director White explained that the applicant is requesting a 14-foot right-of-way reduction (from 50-feet to 36-feet) along the streets of the development to place pedestrian sidewalks 5-feet behind the back of the curb. All utilities and sidewalks will be placed within a 12-foot utility and sidewalk easement behind the proposed right-of-way. She reviewed the factors considered by staff during the application process, explained that the Board of Zoning Appeals recommended approval, and presented two (2) conditions for consideration by the Board should they choose to grant the request.

The Board voted to grant a 14-foot right-of-way reduction (from 50-feet to 36-feet) for property located between the Newnan Crossing Bypass, East Newnan Road, and S. Hwy. 29, Newnan [Parcels # 076-2040-002 (partial), # 076-2040-002A, # 076-2040-12, # 087-2026-001 (partial), # 087C-134, # 088-2058-001A, # 088-2039-001, and # 088-2039-002] as requested in Petition # ZA 045-21 filed by Kolter Group Acquisitions, LLC, subject to the following conditions:

1. The recorded final plat and the Homeowners' Association covenants shall state that the maintenance of the sidewalks shall be the responsibility of the Homeowners' Association.
2. There shall be a 12-foot sidewalk and utility easement at the edge of the right-of-way line for all streets with right-of-way less than 50-feet in width.

RESULT: **GRANTED [UNANIMOUS]**
MOVER: Tim Lassetter, District 2 - Vice Chairman
SECONDER: John Reidelbach, District 4
AYES: Blackburn, Lassetter, Poole, Reidelbach, Smith

Motion To: **Grant Building Design Standards Variance**

Assistant Community Development Director White explained that the applicant is requesting to eliminate building design standards for an *RRCC* development to allow accessibility requirements to be optional based upon the buyer's choice. She reviewed the factors considered by staff during the application process, explained that the Board of Zoning Appeals recommended denial of the building design standards variance.

In response to a question from Commissioner Lassetter, Ms. White explained that the applicant is requesting that the building design standards be an option when a person purchases a home, but the Board of Zoning Appeals voted to recommended that the Board deny this request.

The Board voted to grant a building design standards variance for property located between the Newnan Crossing Bypass, East Newnan Road, and S. Hwy. 29, Newnan [Parcels # 076-2040-002 (partial), # 076-2040-002A, # 076-2040-12, # 087-2026-001 (partial), # 087C-134, # 088-2058-001A, # 088-2039-001, and # 088-2039-002] as requested in Petition # ZA 045-21 filed by Kolter Group Acquisitions, LLC., subject to the following condition:

1. The building design standards shall be placed in the purchase contract as options for the purchaser.

RESULT: **GRANTED [UNANIMOUS]**
MOVER: Tim Lassetter, District 2 - Vice Chairman
SECONDER: John Reidelbach, District 4
AYES: Blackburn, Lassetter, Poole, Reidelbach, Smith

Motion To: **Overlay District QDCD Variance - WITHDRAWN BY APPLICANT**

Assistant Community Development Director White explained that the applicant withdrew a request for a Quality Development Corridor District (QDCD) variance for the amenity center for property located between the Newnan Crossing Bypass, East Newnan Road, and S. Hwy. 29, Newnan [Parcels # 076-2040-002 (partial), # 076-2040-002A, # 076-2040-12, # 087-2026-001 (partial), # 087C-134, # 088-2058-001A, # 088-2039-001, and # 088-2039-002] as requested in Petition # ZA 045-21 filed by Kolter Group Acquisitions, LLC prior to the meeting.

RESULT: **WITHDRAWN NO VOTE**

Motion To: **Grant Tree Preservation Variance**

Assistant Community Development Director White explained that the applicant is requesting a variance to eliminate requirements from the *Tree Preservation Ordinance* associated with maintaining trees in the open space and on each lot. She further explained that with a reduction of the minimum lot size it will become

difficult to situate the required trees on the lot when the house is large, and the lot is small. The applicant has proffered to meet all caliper tree inches within the lots and open space of the residential development. She reviewed the factors considered by staff during the application process, explained that the Board of Zoning Appeals recommended approval, and presented two (2) conditions for consideration by the Board should they choose to grant the request.

In response to a question from Commissioner Lassetter, Ms. White explained that the applicant has no objection to the conditions.

The Board voted to grant a variance from the *Tree Preservation Ordinance* requirements for property located between the Newnan Crossing Bypass, East Newnan Road, and S. Hwy. 29, Newnan [Parcels # 076-2040-002 (partial), # 076-2040-002A, # 076-2040-12, # 087-2026-001 (partial), # 087C-134, # 088-2058-001A, # 088-2039-001, and # 088-2039-002] as requested in Petition # ZA 045-21 filed by Kolter Group Acquisitions, LLC, subject to the following conditions:

1. The developer shall plant at least one (1) 4-inch caliper canopy tree on each lot.
2. The developer shall plant a substantial number of the required trees in the open space strips between lots.
3. The development shall incorporate all caliper tree inches within the lots and/or open space of the residential development.
4. Those trees within the open space shall be the responsibility of the Homeowners' Association and shall be maintained and/or replaced if deceased/diseased.

RESULT:	GRANTED [UNANIMOUS]
MOVER:	Tim Lassetter, District 2 - Vice Chairman
SECONDER:	John Reidelbach, District 4
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith

7. 12661 Request Approval/Execution of Amendments Chapter 14 - Buildings and Building Regulations of the Code of Ordinances

Assistant Community Director White explained that *Chapter 14. Buildings and Building Regulations* of the *Coweta County Code of Ordinances* outlines the minimum standard requirements for permitting and inspections in Coweta County. The current *Code of Ordinances* does not include regulations authorizing the Building Official to progressively sanction individuals and contractors who habitually violate the codes or local ordinances aside from a Stop Work Order and a citation. As proposed, an amendment will provide a 3-tiered approach to address repeat violators:

- First Violation - a Stop Work Order shall be issued on the site and a written warning shall be issued to the person in violation.
- Second Violation - a Stop Work Order shall be issued on the site and a citation shall be issued to the person in violation. The Stop Work Order shall not be removed until the citation has been adjudicated.
- Third Violation - a Stop Work Order shall be issued on the site and a citation shall be issued to the person in violation. The Stop Work Order shall not be removed until the violator appears before the Board of Commissioners at the next available regular scheduled meeting for a hearing before the Board. No additional permits for any property in Coweta County shall be issued to the violator until the individual appears before the Board of Commissioners.

The proposed amendment also deletes *Section 14-33. Refusal to issue permit - Habitual offenders* of the *Coweta County Code of Ordinances*.

In response to a question from the Board, Ms. White explained that a citation amount is set by the Magistrate Judge when it goes to court.

Administrator Fouts also explained that general violations of the Code are punishable up to \$1,000 per day.

In response to a question from Commissioner Reidelbach, Assistant Attorney Lee explained that the amendment is not retroactive to existing violators.

The Board voted to execute amendments to *Chapter 14. Buildings and Building Regulations* of the *Coweta County Code of Ordinances* associated with habitual violators of the Building Codes.

RESULT: EXECUTED [UNANIMOUS]
MOVER: John Reidelbach, District 4
SECONDER: Al Smith, District 5
AYES: Blackburn, Lassetter, Poole, Reidelbach, Smith

8. 12625 Request to Set Public Hearing on December 2, 2021 Regarding a New Consumption Beer and Wine License Filed by Keith Taylor in Operation of HJ Wings & Things West Newnan Located at 485 Hwy 16 West, Newnan - 3rd District

The Board voted to set a Public Hearing on December 2, 2021 at 6:00 p.m. regarding a New Consumption Beer and Wine License filed by Keith Taylor in operation of HJ Wings & Things West Newnan located at 485 Hwy 16 West, Newnan.

RESULT: PUBLIC HEARING SET [UNANIMOUS] Next: 12/2/2021 6:00 PM
MOVER: Al Smith, District 5
SECONDER: Paul Poole, District 1
AYES: Blackburn, Lassetter, Poole, Reidelbach, Smith

9. 12634 Request to Set Public Hearing on December 2, 2021 Regarding a New Package Beer and Wine License Filed by Raj Soloman in Operation of Mac's Market Located at 870 East Hwy 16, Newnan - 2nd District

The Board voted to set a Public Hearing on December 2, 2021 at 6:00 p.m. regarding a New Package Beer and Wine License filed by Raj Soloman in operation of Mac's Market located at 870 E. Highway 16, Newnan.

RESULT: PUBLIC HEARING SET [UNANIMOUS] Next: 12/2/2021 6:00 PM
MOVER: Al Smith, District 5
SECONDER: Paul Poole, District 1
AYES: Blackburn, Lassetter, Poole, Reidelbach, Smith

UNFINISHED BUSINESS

10. 12646 Request Appointments to Various Boards/Authorities

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

- Appoint Mr. Mike Marchese as an At-Large representative to the Board of Tax Assessors to fill the unexpired term of Mr. David Barnett (recently deceased) beginning December 3, 2021 and expiring December 31, 2021.
- Reappoint Mr. Alan Starr as the 1st District representative to the Newnan-Coweta County Airport Authority for the term beginning January 1, 2022 and expiring

December 31, 2025.

- Reappoint Ms. Tippie Conner as the 1st District representative to the Board of Directors of the Coweta County Department of Family and Children Services for the term beginning July 1, 2021 and expiring June 30, 2026.

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

NEW BUSINESS

Bids and Contracts

11. 12640 Request Approval/Execution of a Real Estate and Sales Agreement with the Coweta County School System - 2nd District

Administrator Fouts explained that the Coweta County School System owns a parcel on Dixon Road that is located between several parcels owned by the County. The School System has agreed to work with the County to acquire the property for potential assemblage, use for governmental purposes (parks and recreational services). The area is known as Western Park and staff is in the process of redeveloping the site. The total value of the property is \$23,015.00.

The Board voted to execute an Agreement for Real Estate Purchase and Sale with the Coweta County School System in the amount of \$23,015.00 associated with acquisition of property located on Dixon Road, Newnan (Parcel # 036-4036-013) (SPLOST).

RESULT:	EXECUTED [UNANIMOUS]
MOVER:	Tim Lassetter, District 2 - Vice Chairman
SECONDER:	Al Smith, District 5
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith

12. 12655 Request Approval/Execution of a Real Estate and Sales Agreement with the City of Senoia - 1st District

Administrator Fouts explained that the County owns property located at 300 Howard Road in Senoia that is utilized as the Senoia Community Center. The City of Senoia has approached the County with desires to acquire the property for potential assemblage for its governmental purposes. Based on a third-party appraisal, the property consisting of 2± acres and a 4,365± square feet facility is valued at \$305,000. As proposed in a Real Estate Agreement, the City shall pay the County \$305,000.00 in exchange for a limited warranty deed for this property. If approved by both parties, the County will initiate the design and construction of a new community center at the LeRoy Johnson Park. In addition, the County will coordinate with the City to ensure that a facility is secured for existing programs and services currently planned at the Senoia Community Center.

The Board voted to execute an Agreement for Real Estate Purchase and Sale with the City of Senoia in the amount of \$305,000.00 associated with the sale of property located at 300 Howard Road, Senoia (Parcel # 162-1248-095).

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

13. 12653 Request Approval/Execution of an Architectural Services Agreement Associated with the Senoia Community Center - 1st District

The Board voted to execute an agreement with K.A. Oldham Design (KAOD) to provide architectural design, bidding, and project management services associated with construction of the Senoia Community Center in the amount of \$59,440.00 (6.75% of the estimated construction cost), contingent upon final legal review.

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

14. 12585 Request Approval/Execution of an Intergovernmental Agreement with the Town of Sharpsburg Associated with a Park Expansion - 1st District

Administrator Fouts explained that in 2015, the Board voted to assist the Town of Sharpsburg by providing labor, supervision, and equipment necessary to construct a park located at 105 Main Street. The Town has requested that the County provide further assistance to expand the Park as outlined in the conceptual plan designed by Integrated Science and Engineering on behalf of Sharpsburg. As proposed in an Intergovernmental Agreement (IGA), the County, through Public Works, will assist by providing equipment, labor, supervision, demolition, erosion and sedimentation control, grading, storm drainage, temporary grassing, curb/gutter, and asphalt paving. The Town of Sharpsburg will be responsible for the cost of materials associated with this project and will reimburse the County for these expenses.

The Board voted to execute an Intergovernmental Agreement with the Town of Sharpsburg associated with assisting with a phased approach to accomplish construction of a park adjacent to the Town Hall.

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

15. 12648 Bid Award Associated with Enforcement of Ordinance Regulating Rank Plant Growth and Trash Accumulation for Property Located at 68 E. Cole Street - 2nd District

The Board voted to retain TWR Lawn Services, Inc to perform cleanup of property located at 68 E Cole Street, Newnan GA (Parcel # 087C-088) at a total cost of \$1,500.00, and to place a lien on said property, should it become necessary, to recoup associated costs for said services.

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

Additional Action Items

16. 12627 Request Approval/Execution a Local Administered Projects (LAP) Recertification Application for Federal Aid Projects

The Board voted to execute a Local Administered Projects (LAP) recertification application to be submitted to the Georgia Department of Transportation (GDOT).

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

17. 12668 Request Approval/Execution of a Resolution to Amend the Terms and Establish Additional Members for the Coweta County Board of Assessors

Administrator Fouts explained that in accordance with O.C.G.A. § 48-5-290, the Board of Commissioners has the authority to appoint not less than three (3) nor more than five (5) members to the Board of Assessors. Title 48, Chapter 5 of State law also specifies the length of terms of office for the members of the Board of Assessors to be not less than three (3) years or more than six (6) years. The Board has expressed its desire to expand the Board of Assessors from three (3) members to five (5) members and adjust the staggered six (6) year terms to four (4) year staggered terms. By adding two (2) members, this expansion will provide for additional expertise on the Board of Assessors and allow each Commissioner to have an appointment instead of at-large appointments. In accordance with State law, the County will compensate the additional members for service and required annual training.

The Board voted to execute a Resolution to Amend the Terms and Create Additional Members for the Coweta County Board of Assessors associated with the expansion of the Board of Assessors from three (3) members to five (5) members and adjustment of the staggered six (6) year terms to four (4) year staggered terms.

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

18. 12662 Request Approval/Execution of the Victims of Crime Act Grant Award Documents for the District Attorney's Office

The Board voted to execute a Memorandum of Understanding (MOU) with the Prosecuting Attorneys' Office of Georgia (PACGA) and the District Attorney, to execute the Victims of Crime Act (VOCA) grant award documents, to approve distribution of the grant funds directly to the District Attorney's office, and to designate the County Administrator as the authorized official to execute related documents.

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

19. 12656 Request Approval/Execution of a Resolution to Adopt the Second Amendment to the Coweta County Employee Handbook

Administrator Fouts explained that currently as defined in the Coweta County Employee Handbook, computation of hours for overtime purposes does not include the use of annual leave, holiday leave, comp time, civil/jury leave or military leave. A proposed amendment to the Handbook will ensure that employees receive the full overtime benefit.

The Board voted to execute the Second Amendment to the Employee Handbook to become effective retroactively on November 15, 2021.

RESULT:	EXECUTED [UNANIMOUS]
MOVER:	Tim Lassetter, District 2 - Vice Chairman
SECONDER:	John Reidelbach, District 4
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith

20. 12643 Request Approval to Surplus Equipment Formerly Utilized by Environmental Management

The Board voted to surplus the following inoperable equipment formerly utilized by Environmental Management and to instruct staff to dispose of such according to current procedures:

Backhoe Bucket # BK4401
 Hydroseeder Mulcher # ET24
 Conex Box # IC83
 Open Top # LMRO20334
 Refuse Container # MC1809
 Recycling Container # MC2637
 Recycling Container # MC2638
 Recycling Container # MC2657
 Refuse Container # MC4489
 Refuse Container # MC4490
 Rear Loading Container # MC4491
 Open Top # MC4492
 Refuse Container # MC4493
 Refuse Container # MC4494
 Refuse Container # MC4495
 Refuse Container # MC4496
 Refuse Container # MC4497
 Refuse Container # MC4499

Rear Loading Container # RL4401
Rear Loading Container # RL4402
Rear Loading Container # RL4403
Water Tank # SE195
Enclosed Trailer # TR4486
Enclosed Trailer # TR4487
Rear Loading Container # RL4479
Refuse Container # MC4483
Rear Loading Container # RL4478
Compactor # H03
Trailer # HE318
Refuse Container # MC4280

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

21. 12658 Request Approval to Utilize Justice Center to Hold Mock Trial Competitions

The Board voted to approve a request from the Coweta County Solicitor's Office to utilize the Coweta County Justice Center on Saturday, February 12, 2022 to hold the Regional Mock Trial Competition.

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

22. 12672 Request Approval to Assist the Town of Turin with a Stormwater Ditch - 1st District

The Board voted to provide labor and equipment to assist the Town of Turin with a stormwater ditch located in the right-of-way at 179 N. Hunter Street.

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

SUPPLEMENTAL/NON-AGENDA ITEMS

23. 12667 Request Approval/Execution of Resolution to Apply for Federal Funds through the Atlanta Regional Commission 2022 TIP Project Solicitation

The Board voted to execute a Resolution to apply for federal funds through the Atlanta Regional Commission (ARC) 2022 Transportation Improvement Program (TIP) to be utilized for projects on Lower Fayetteville and Poplar Roads.

RESULT:	EXECUTED [UNANIMOUS]
MOVER:	Tim Lassetter, District 2 - Vice Chairman
SECONDER:	John Reidelbach, District 4
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith

PUBLIC COMMENT (Items Not on the Agenda)

Public Comments Regarding Items Not on the Agenda

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

Mr. Donald Kotasek, Poplar Road, expressed concerns with the effects that increased traffic flow in/out of the Cresswind at Spring Haven development will have on residents in the area.

EXECUTIVE SESSION - In accordance with O.C.G.A. 50-14-4

Motion To: **Enter Into Executive Session**

The Board voted to enter into Executive Session for the purposes of discussing litigation and real estate issues.

Members in attendance included Chairman Blackburn, Commissioner Poole, Commissioner Lassetter, Commissioner Reidelbach, and Commissioner Smith. Staff members in attendance included Administrator Fouts, Assistant Administrator Mickle, Public Works Director Tod Handley, Facilities Management Director Mike Johnson, Assistant Attorney Lee, and Deputy County Clerk Collins.

Major Warren Campbell from the Coweta County Sheriff's Office and Ms. Karen Woodward, counsel with Cruser, Mitchell, Novitz, Sanchez, Gaston & Zimet, LLP, were also present to discuss the litigation issues.

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

REGULAR SESSION

Motion To: **Return to Regular Session**

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Reidelbach, District 4
SECONDER:	Al Smith, District 5
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith

AFFIDAVIT

Motion To: **Execute Affidavit and Resolution for Executive**

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

RESULT:	EXECUTED [UNANIMOUS]
MOVER:	Bob Blackburn, District 3 - Chairman
SECONDER:	Tim Lassetter, District 2 - Vice Chairman
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith

ADJOURNMENT

Motion To: **Adjourn**

The Board voted to adjourn the meeting.

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