



Coweta County Board of Commissioners

Regular Meeting Session

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

Shannon Zerangue
770.254.2601

Tuesday, November 2, 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	
Eddie Whitlock	Associate Administrator	Absent	
Kelly Mickle	Assistant Administrator	Absent	
Jerry Ann Conner	Assistant County Attorney	Present	
Shannon Zerangue	County Clerk	Present	

The Honorable Board of Commissioners of Coweta County, Georgia met in Regular Meeting Session on November 2, 2021.

Meeting Called to Order

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

Pledge of Allegiance

Chairman Blackburn led the Pledge of Allegiance.

Invocation

Invocation was given by Commissioner Smith.

Notification of Location of Rules

Chairman Blackburn indicated the rules governing the meeting could be found on the County's website as well as on the table located just outside the door.

REGULAR SESSION

APPROVAL OF MINUTES

1. **Minutes of Tuesday, October 19, 2021**

The Board voted to approve the minutes from the Public Hearing/Regular Meeting Session meeting held on October 19, 2021.

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

SUPPLEMENTAL AND NON- AGENDA ITEMS

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

Administrator Fouts explained that the agenda consists of one (1) Supplemental agenda item and two (2) Non-Agenda items for discussion. He asked for the Board's consideration to add one (1) additional Non-Agenda item regarding construction without the proper building permits.

The Board voted to approve the addition of one (1) Supplemental item and three (3) Non-Agenda items for discussion as presented by staff.

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

PUBLIC COMMENT (Items on the Agenda)

Public Comments Regarding Items On the Agenda

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

Ms. Melissa Griffis, South Court Square, Newnan addressed the Board regarding Petitions # 21-010001, # 21-010002, and # 21-010003 (agenda item # 2). She explained that the applicant is requesting to reduce the buffer from 50-feet to 10-feet along an adjacent parcel (Lot 15) that has a pending rezoning application from RC (Rural Conservation) to C-8 (Heavy Commercial District), to reduce the Category A materials from 75% to 50% on the U-shaped portion of the proposed residential structure except for the end-cap closest to Fischer Road, and to reduce the required parking ratio to 286 spaces (from 365). She also explained that a parking analysis has been provided by the engineering firm of Kimley-Horn. Further, the applicant does not believe that these requests will have any negative impacts, the development will be highly landscaped throughout, and it will meet the Category A building materials requirement on portions of the building that can be viewed by adjacent property owners or from the roadway(s). In closing, she explained that the applicant does not have any objections to the conditions recommended by the Board of Zoning Appeals.

Mr. Dave Ennis, Capital Seniors Housing, addressed the Board regarding Petitions # 21-010001, # 21-010002, and # 21-010003 (agenda item # 2). He explained that the company develops facilities for seniors including assisted living, independent living, and memory care facilities. He provided the number of facilities developed by the company, explained that the typical resident is between 55 and 80 years of age, and that each development includes a lot of indoor and outdoor amenity space.

Mr. Jin Seo, Kimley-Horn, addressed the Board regarding Petitions # 21-010001, # 21-010002, and # 21-010003 (agenda item # 2). He explained that his firm has provided a parking demand memo to anticipate the parking for the development. Using the industry accepted standard [Urban Land Institute (ULI) Shared Parking Manual], base ratios are generated for different types of land uses, including senior housing/apartment units. The base rates are based upon suburban locations with little to no transit. In closing he explained that by utilizing these rates, the development is anticipated to need no more than 1.31 parking spaces per unit.

Recommendations from Planning and Zoning and/or the Board of Zoning Appeals

2. 12592 Recommend Approval of Petitions # VAR 21-010001, # VAR 21-010002, and # VAR 21-010003 Filed by CSH Fischer Crossings ACT, LLC Requesting Parking, Exterior Building Materials, and Buffer Variances for Tract 14 Located in the Fischer Crossings Development

Zoning Coordinator Lisa Eschman presented Petitions # VAR 21-010001, # VAR 21-010002, and # VAR 21-010003 filed by CSH Fischer Crossings requesting a parking ratio variance, an exterior building materials variance, and a buffer variance for property located at the northeast quadrant of Fischer Road and SR 34 (Parcel # 145-6153-025), Sharpsburg along with recommendations of approval from the Board of Zoning Appeals. She explained that the subject property is Lot 14 of the Fischer Crossings Development, consists of 13.51± undeveloped acres, is currently zoned *RRCC (Residential Retirement Community Care District)*, and lies within the Quality Development Corridor District (QDCD). The applicant is proposing to construct a 4-story, 55+ senior active lifestyle community with a total of 162 units for independent living. The multi-family residential complex consists of 106 one-bedroom and 56 two-bedroom style units, and each resident within the complex will be provided with a one-car covered garage for storage and parking of a vehicle. She further explained that based upon the current ordinance requirements for the *RRCC* zoning district, the location of the subject property in the QDCD, and the surrounding zoning classifications, the applicant has submitted requests for the three (3) variances. She presented each variance request individually for consideration by the Board.

RESULT:	PRESENTED
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Motion To: **Grant Parking Ratio Variance**

Ms. Eschman explained that the applicant is requesting to reduce the parking ratio from the required 2.25 spaces per unit (365 spaces) to 1.31 spaces per unit (212 spaces). She further explained that the Board of Zoning Appeals recommended approval of the variance and presented three (3) conditions for consideration by the Board should they choose to grant the variance.

In response to questions from Commissioner Smith regarding the calculation for parking spaces and any hardship stated by the developer, Ms. Eschman highlighted the section of the *RRCC* Ordinance that addresses parking spaces and explained that no hardship was stated in the variance application.

Commissioner Reidelbach expressed concerns regarding limiting residents to one (1) vehicle per unit when the national average is higher than that per household.

In response to a question from Commissioner Reidelbach, Ms. Eschman explained that Code Enforcement has indicated that it will be very difficult for the County to monitor and enforce the parking restrictions/limitations.

In response to a question from Commissioner Smith, Ms. Eschman explained that the total parking for the development will be utilized by residents, staff, visitors, caretakers, etc.

The Board voted to deny a 0.485 parking ratio reduction (from 2.25 spaces per unit to 1.765 spaces per unit) for Lot 14 located in the Fischer Crossings Development (Parcel # 145-6153-025) as requested in Petition # VAR 21-010001 filed by CSH Fischer Crossings.

RESULT: **DENIED [UNANIMOUS]**
MOVER: John Reidelbach, District 4
SECONDER: Bob Blackburn, District 3 - Chairman
AYES: Blackburn, Lassetter, Poole, Reidelbach, Smith

Motion To: **Grant an Exterior Building Materials Variance**

Ms. Eschman explained that the applicant is requesting to reduce the percentage of Category A (brick, stone, glass) and Category B (stucco, EFIS, fiber cement board) exterior building materials from the required 75/25 to 50/50 on the rear "U-shaped" area of the proposed building that will face a 100-foot undisturbed buffer (north). She further 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 exterior building materials reduction request.

At Commissioner Reidelbach's request, Ms. Eschman indicated the area in question on the proposed site plan along with the location of the existing undisturbed 100-foot buffer. She further explained that the 100-foot buffer was a condition of zoning that was placed on that particular parcel many years ago.

In response to a question from Commissioner Lassetter regarding disturbance of the 100-foot buffer, Assistant Community Development Director Angela White explained that because the buffer is a condition of zoning for that tract, a zoning amendment would be required in order for it to be disturbed in any way.

Administrator Fouts fielded a question from Commissioner Reidelbach regarding the properties adjacent to the 100-foot buffer and the future potential to view the U-shaped area of the proposed building.

Commissioner Poole expressed his concerns regarding a reduction in the required building materials.

The Board voted to deny an exterior building materials reduction [from 75/25 to 50/50 on the rear "U-shaped" area of the proposed building facing the 100-foot undisturbed buffer (north)] for Lot 14 located in the Fischer Crossings Development (Parcel # 145-6153-025) as requested in Petition # VAR 21-010002 filed by CSH Fischer Crossings.

RESULT: **DENIED [UNANIMOUS]**
MOVER: John Reidelbach, District 4
SECONDER: Bob Blackburn, District 3 - Chairman
AYES: Blackburn, Lassetter, Poole, Reidelbach, Smith

Motion To: **Grant a Buffer Variance**

Ms. Eschman explained that the applicant is requesting a 40-foot buffer reduction along the southwestern property line (from 50-feet to 10-feet) for placement of a 10-foot landscape buffer. She further explained that the Board of Zoning Appeals recommended approval of the variance and presented four (4) conditions for consideration by the Board should they choose to grant the buffer reduction variance.

In response to questions from Commissioner Smith and Commissioner Reidelbach, Ms. Eschman explained that the adjacent parcel is currently under review by staff because an application has been filed to rezone the property from *RC (Rural Conservation)* to *C-8 (Heavy Commercial)*.

In response to a question from Commissioner Smith regarding the hardship for the

developer, Ms. Griffis explained that County's current ordinances require a 50-foot buffer adjacent to *RC (Rural Conservation)* zoning districts. However, there is an application in process to rezone the adjacent parcel (Lot 15) from *RC (Rural Conservation)* to *C-8 (Heavy Commercial)*. Because of the surrounding land uses/zoning districts, no one expects this parcel to remain residentially zoned. The 50-foot buffer is not required adjacent to commercially zoned tracts; therefore, the applicant is requesting to reduce the 50-foot buffer to plant landscaping in a 10-foot buffer along with enhanced landscaping throughout the development.

In response to a question from Commissioner Lassetter, Ms. Eschman explained that the buffer reduction is limited to the southwestern property line.

The Board voted to grant a 40-foot buffer reduction (from 50-feet to 10-feet) along the southwestern property line of Lot 14 located in the Fischer Crossings Development (Parcel # 145-6153-025) for placement of a 10-foot landscape buffer as requested in Petition # VAR 21-010003 filed by CSH Fischer Crossings, subject to the following conditions:

1. As proffered by the applicant, the landscaping and the amenity areas shall be enhanced throughout the development as shown on the landscape plan submitted with the application.
2. A 10-foot buffer shall be planted along the southwestern property line. A landscape plan shall be submitted and approved by the Community Development Department to ensure planted materials provide appropriate screening.
3. The 100-foot undisturbed buffer to the north shall remain.
4. All other landscape requirements throughout the development shall incorporate the Quality Development Corridor District (QDCD) requirements. A landscape plan shall be submitted and approved by the Community Development Department prior to any installation.

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

3. 12593 Recommend Approval of Petition # VAR 21-010004 Filed by Barbara French Requesting a Guest House Variance for Property Located at 1457 Dolly Nixon Road, Senoia

Zoning Coordinator Eschman presented Petition # VAR 21-010004 filed by Ms. Barbara French requesting a 156 square feet guest house variance (from 1,000 square feet to 1,156 square feet) for 10.02± acres located at 1457 Dolly Nixon Road, Senoia (Parcel # 164-1242-043) along with a recommendation of approval by the Board of Zoning Appeals. She explained that the applicant wishes to construct a guest house for family on the subject property, and the current ordinance allows for a 1,000 square feet structure. In order to accommodate larger laundry and bunkroom areas, the applicant is requesting to increase the size of the guest house to 1,156 square feet. She reviewed the factors considered by staff during the application process and presented three (3) conditions for consideration by the Board should they choose to grant the guest house size increase variance request.

The Board voted to grant a 156 square feet guest house size increase variance (from 1,000 square feet to 1,156 square feet) for property located at 1457 Dolly Nixon Road, Senoia (Parcel # 164-1242-043) as requested in Petition # VAR 21-010004 filed by Ms. Barbara French, subject to the following conditions:

1. The applicant shall meet all the requirements of the Building and Environmental Health Departments.
2. The applicant shall comply with all the *Guest House Ordinance* requirements.
3. The guest house shall not exceed a total of 1,156 square feet.

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

4. 12594 Recommend Approval of Petition # VAR 21-010005 Filed by Carisa LeClair Requesting Front and Side Yard Setback Variances for Property Located at 1394 Macedonia Road, Newnan

Zoning Coordinator Eschman presented Petition # VAR 21-010005 filed by Ms. Carissa LeClair requesting front and side yard setback reduction variances for property located at 1394 Macedonia Road, Newnan (Parcel # 059-5165-005). She explained that the subject property consists of 2.0± acres (Tract "A") situated within a parent tract totaling 13.75± acres owned by a relative. The entire 15.75± acres were purchased for a family complex and to share common areas within the subject property. Both tracts are currently zoned *RC-SUP (Rural Conservation w/Special Use Permit)* for a special events venue known as "Macedonia Hills". An existing pool is located centrally on the 13.75± acres and adjoins the 2.0± acres at the southeast property line. The applicant is proposing to construct a pool house as an accessory use to the pool. Based upon the location of the proposed pool house and the topography of the property, the applicant is requesting to eliminate the required 50-foot front building setback (from 50-feet to 0-feet) and the required 25-foot side building setback (from 25-feet to 0-feet). The pool house will be constructed 10-feet from the existing pool and will allow the families close access for the shared accessory use. She reviewed the factors considered by staff during the application process and presented four (4) conditions for consideration by the Board should they choose to grant the front and side building setback reduction variances.

In response to a question from Commissioner Smith, Ms. Eschman explained that the pool house will be located 10-feet from the existing pool as required in the County's ordinances and the building code.

The Board voted to grant a 50-foot front building setback reduction (from 50-feet to 0-feet) and a 25-foot side building setback reduction (from 25-feet to 0-feet) for property located at 1394 Macedonia Road, Newnan (Parcel # 059-5165-005), subject to the following conditions:

1. The proposed pool house shall be located within the southeast corner of the 2.0± acres tract (Tract "A") near the existing pool as submitted with the application.
2. The applicant shall meet all requirements of the Building Division and Environmental Health Department.
3. The pool house shall not be utilized as a residential dwelling.
4. The septic tank and all field lines are to be located solely on Tract A.

RESULT: GRANTED [UNANIMOUS]
MOVER: Al Smith, District 5
SECONDER: Bob Blackburn, District 3 - Chairman
AYES: Blackburn, Lassetter, Poole, Reidelbach, Smith

5. 12574 Request to Set Public Hearing on November 16, 2021 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 set a Public Hearing on November 16, 2021 at 6:00 p.m. 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.

RESULT: PUBLIC HEARING SET [UNANIMOUS] Next: 11/16/2021 6:00 PM
MOVER: Al Smith, District 5
SECONDER: Paul Poole, District 1
AYES: Blackburn, Lassetter, Poole, Reidelbach, Smith

6. 12546 Request to Set a Public Hearing on December 2, 2021 Regarding Petition # REZ 21-010001 Filed by John Linton Requesting to Rezone Property Located at 3193 W Hwy 16, Newnan

The Board voted to set a Public Hearing on December 2, 2021 at 6:00 p.m. regarding Petition # REZ 21-01000 filed by John Linton requesting to rezone property located at 3193 W Hwy. 16, Newnan (Parcel # 033-4021-018).

RESULT: PUBLIC HEARING SET [UNANIMOUS] Next: 12/2/2021 6:00 PM
MOVER: Al Smith, District 5
SECONDER: John Reidelbach, District 4
AYES: Blackburn, Lassetter, Poole, Reidelbach, Smith

7. 12615 Request to Set Public Hearing on December 2, 2021 Regarding Petition # 024-21 Filed by Pulte Home Company, LLC and Green Top Road, LLC Requesting to Rezone Property Located Off Greentop Road, Newnan

The Board voted to set a Public Hearing on December 2, 2021 at 6:00 p.m. regarding Petition # 024-21 filed by Pulte Home Company, LLC and Green Top Road, LLC requesting to rezone property located off Greentop Road, Newnan [Parcels # 085-5086-001 (partial), # 085-5086-003, # 085-5107-002, and # 085-5107-003].

RESULT: PUBLIC HEARING SET [UNANIMOUS] Next: 12/2/2021 6:00 PM
MOVER: Al Smith, District 5
SECONDER: John Reidelbach, District 4
AYES: Blackburn, Lassetter, Poole, Reidelbach, Smith

8. 12623 Request to Set Public Hearing on December 14, 2021 Regarding Petition # 023-21 Filed by Kolter Land Partners Requesting to Rezone Property Located at 477, 481, and 605 Fischer Road, Sharpsburg

The Board voted to set a Public Hearing on December 14, 2021 at 6:00 p.m. regarding Petition # 023-21 filed by Kolter Land Partners requesting

to rezone property Located at 477, 481, and 605 Fischer Road, Sharpsburg (Parcels # 145-6152-003, # 145-6152-008, and # 145-6153-006A).

RESULT: PUBLIC HEARING SET [UNANIMOUS] Next: 12/14/2021 6:00 PM
MOVER: Al Smith, District 5
SECONDER: John Reidelbach, District 4
AYES: Blackburn, Lassetter, Poole, Reidelbach, Smith

9. 12622 Request to Set a Public Hearing on December 14, 2021 Regarding Petition # REZ 21-010002 Filed by Pavan Jaidi Requesting to Rezone Property Located Along Poplar Road, Newnan

The Board voted to set a Public Hearing on December 14, 2021 at 6:00 p.m. regarding Petition # REZ 21-010002 filed by Pavan Jaidi requesting to rezone property along Poplar Road, Newnan (Parcel # 099-2004-086).

RESULT: PUBLIC HEARING SET [UNANIMOUS] Next: 12/14/2021 6:00 PM
MOVER: Al Smith, District 5
SECONDER: John Reidelbach, District 4
AYES: Blackburn, Lassetter, Poole, Reidelbach, Smith

UNFINISHED BUSINESS

10. 12608 Request Appointments to Various Boards/Authorities

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

RESULT: NO ACTION TAKEN

NEW BUSINESS

Bids and Contracts

11. 12584 Bid Award Associated with an Emergency Pipe Replacement on Welcome Road (RB21.12) - 2nd District

The Board voted to retain Alpha Boring Company, Inc to perform emergency pipe replacement located on Welcome Road at the intersection with Thigpen Road at a total cost of \$50,303 (SPLOST).

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

12. 12626 Bid Award Associated with Design-Build Construction of an Equipment Storage Shed at the Fleet Maintenance Site

The Board voted to retain Riley Contracting on a lowest and best bid basis to perform design-build construction of an equipment storage shed at the Coweta County Fleet Maintenance site (PW21.3) at a total cost of \$133,000 (Certificates of Participation Grant).

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

13. 12537 Bid Award Associated with Tornado Repairs at the Justice Center

The Board voted to retain SRS, Inc, on a lowest and best bid basis, to complete necessary repairs to the Justice Center associated with the March 2021 EF4 tornado at a total cost of \$1,433,000 (General Fund).

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

Additional Action Items

14. 12598 Request Approval/Execution of a Resolution to Adopt the Coweta County Transit Title VI Plan 2021 Update

The Board voted to execute a Resolution to Adopt the Title VI Plan Update 2021 for the Coweta County Section 5311 Transit Program as prepared by staff.

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

15. 12633 Request Approval/Execution of a Resolution to Reimburse the County for Project Expenses for the Administration Annex

The Board voted to execute a Resolution Authorizing the Reimbursement of Project Expenses from bonds for construction of an Administration Annex.

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

16. 12580 Request Approval to Submit a 2021 Emergency Management Performance Grant Application

The Board voted to authorize submission of the 2021 Emergency Management Performance Grant (EMPG) application.

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

SUPPLEMENTAL AGENDA ITEMS

17. 12637 Request Approval/Execution of the Annual Equitable Sharing Agreement and Affidavit for the Sheriff's Office

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

RESULT: EXECUTED [UNANIMOUS]
MOVER: Bob Blackburn, District 3 - Chairman
SECONDER: Al Smith, District 5
AYES: Blackburn, Lassetter, Poole, Reidelbach, Smith

18. 12631 Request Approval/Execution of a Resolution to Authorize the Tax Commissioner to Approve Waiver of Penalties and Interest for Properties Impacted by the March 25, 2021 Disaster

Administrator Fouts explained that as authorized by State law and local resolution, property taxes levied in Coweta County are due on each December 1st. In an effort to assist property owners impacted by the tornado, a joint resolution including the County, City of Newnan, and the Board of Education has been drafted for consideration by each governing authority. As proposed, the resolution would authorize the Coweta County Tax Commissioner to waive any penalties and interest for up to six (6) months upon request for impacted parcels from the tornado. The waiver would not exceed six (6) months. If a property is not included in the impacted area, the resolution authorizes the County Administrator, City Manager, and Superintendent to mutually determine if the property shall be eligible.

The Board voted to execute a joint Resolution to Authorize the Tax Commissioner to approve waiver of penalties and interest for properties impacted by the March 25, 2021 natural disaster.

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

19. 12639 Request Approval/Execution of Amendment # 2 to the Contract with RMS Associated with Transit Services

The Board voted to execute Amendment # 2 to the contract with RMS Transit, Inc to authorize Option Year 2 to provide transit services at an hourly rate of \$37.58 beginning on July 1, 2021.

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

20. Motion To: **Provide Instructions Regarding Work that Commences Prior to Issuance of a Building Permit**

Administrator Fouts explained that staff has seen an increase in builders in the community that are constructing structures without the proper permits. This issue is beginning to encumber a lot of staff's time and resources. In general, the lack of compliance with the building codes also affects potential homeowners. He further

explained that he has spoken with counsel about the issue and there is a provision in the County's ordinances that provides staff the ability to issue citations for work that commences prior to issuance of the proper building permit(s). Historically, staff's approach has been to provide education versus citations; however, staff is now encountering repeat offenders. He asked for the Board's consideration to allow staff to proceed with issuance of citations to repeat offenders as provided in the County's *Code of Ordinances*. He explained the process as follows:

1. Staff will issue a stop work order and a citation upon notification/realization that the violation has occurred.
2. The offender will be allowed to obtain the proper permit(s) and continue the construction process.
3. The citation will proceed through the court system (Magistrate).

Mr. Fouts also explained that staff is requesting that the Board consider amending the *Code of Ordinances* to address second and third offenses by habitual violators. He explained that process as follows:

1. The second offense will include the stop work order and a citation, but the stop work order will not be retracted until the citation has been adjudicated through the court system.
2. The third offense will include the stop work order and a citation to be adjudicated through the court plus a hearing conducted by the Board of Commissioners for a decision regarding any sanctions enacted by the County.

In response to a comment from Commissioner Poole, Administrator Fouts and Community Development Director Jon Amason explained that the latest incident involved a building inspector entering a structure for a final building inspection prior to issuance of a certificate of occupancy and encountering/startling a homeowner already living in the residence.

Commissioner Reidelbach expressed his desire that the ordinance also address "open permits" left by builders that do not obtain a final inspection but move on to their next project.

Administrator Fouts explained that the new Accela platform being utilized by Community Development provides better reporting capability for issues such as the "open permits." In closing, he explained that these habitual violators have become burdensome to staff and detrimental to those trying to following the proper process, and asked for the Board's consideration to enforce the provision in the current *Code of Ordinances* associated with citations for violations.

The Board voted to instruct staff to enforce the current *Code of Ordinances* associated with the issuance of citations for violations of the building permitting process and to prepare an amendment to the *Coweta County Code of Ordinances* to address habitual/repeat violators of such process.

RESULT:	INSTRUCTIONS GIVEN TO STAFF [UNANIMOUS]
MOVER:	John Reidelbach, District 4
SECONDER:	Bob Blackburn, District 3 - Chairman
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 regarding any items not on the agenda.

Mr. Spencer Lewis, Ashley Park Drive, Newnan expressed his concerns regarding the confederate memorial statue at the historic courthouse and asked that the Board consider relocating it to a more suitable place such as the Oak Hill Cemetery or the Brown's Mill Park.

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 real estate and litigation issues.

Members in attendance included Chairman Blackburn, Commissioner Poole, Commissioner Lassetter, Commissioner Reidelbach, and Commissioner Smith. Staff members in attendance included Administrator Fouts, Assistant Attorney Conner, and County Clerk Zerangue.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Al Smith, District 5
SECONDER:	John Reidelbach, District 4
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:	Paul Poole, District 1
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:	Al Smith, District 5
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:	Tim Lassetter, District 2 - Vice Chairman
SECONDER:	Al Smith, District 5
AYES:	Blackburn, Lassetter, Poole, Reidelbach, Smith