



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, October 3, 2023

6:00 PM

Commission Chambers

~ Minutes ~

COWETA COUNTY BOARD OF COMMISSIONERS

Call to Order

Attendee Name	Title	Status	Arrived
John Reidelbach	District 4 - Chairman	Present	
Paul Poole	District 1 - Vice Chairman	Present	
Bill McKenzie	District 2	Present	
Bob Blackburn	District 3	Present	
Al Smith	District 5	Present	
Michael Fouts	County Administrator	Present	
Eddie Whitlock	Associate Administrator	Absent	
Kelly Mickle	Assistant Administrator	Present	
Nathan Lee	County Attorney	Present	
Shannon Zerangue	County Clerk	Present	

The Honorable Board of Commissioners of Coweta County, Georgia met in Regular Meeting Session on Tuesday, October 3, 2023.

Meeting Called to Order

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

Pledge of Allegiance

Chairman Reidelbach led the Pledge of Allegiance.

Invocation

Invocation was given by Commissioner McKenzie.

Notification of Location of Rules

Chairman Reidelbach explained that the rules governing the meeting could be found on the County's website as well as on the table located in the lobby outside the meeting room.

REGULAR SESSION

APPROVAL OF MINUTES

1. **Minutes of Tuesday, September 19, 2023**

The Board voted to approve the minutes from the Public Hearing/Regular Meeting Session held on Tuesday, September 19, 2023.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Bob Blackburn, District 3
SECONDER: Paul Poole, District 1 - Vice Chairman
AYES: Reidelbach, Poole, McKenzie, Blackburn, Smith

CONSENT AGENDA

2. 14091 Confirm Execution of a Lease with the State Properties Commission Associated with the K-9 Kennel Facility Located at 101 Selt Road, Newnan - District 5

Administrator Fouts explained that the current K-9 kennel utilized by the Department of Corrections (DOC) and the Sheriff's Office is located at the Newnan-Coweta County Airport. Several years ago, the Federal Aviation Administration (FAA) conducted an audit and found it is a non-compliant use because it is a non-aviation use located on Airport property. In 2022, County staff in conjunction with support from the DOC initiated a project to construct a new K-9 kennel facility on existing County-owned property located on Selt Road. Under the lease arrangement, the DOC will utilize (1) office and share the kennels and common space with the Sheriff's Office, and the County will operate the facility.

The Board voted to confirm execution of a Lease Agreement with the State Properties Commission (SPC) associated with property located at 101 Selt Road, Newnan utilized by the Department of Corrections and the Coweta County Sheriff's Office as a K-9 kennel facility.

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

SUPPLEMENTAL AND NON- AGENDA ITEMS

Motion To: **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: Paul Poole, District 1 - Vice Chairman
SECONDER: Bill McKenzie, District 2
AYES: Reidelbach, Poole, McKenzie, Blackburn, Smith

PUBLIC COMMENT (Items on the Agenda)

Public Comments Regarding Items On the Agenda

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

Ms. Melissa Griffis, South Court Square, Newnan, addressed the Board regarding a request for a four (4) month extension to obtain a land disturbance permit (LDP) associated with previous Petition # 22-23 filed by JBE Realty Holdings, LLC/dba Jim Ellis Automotive Group (agenda item # 3). She explained that within a month of receiving approval to rezone the property, Mr. Jim Ellis, managing partner of Jim Ellis Automotive Group, experienced a stroke and passed away shortly after. She further explained that in February 2023 a new person with the authority to make business decisions was hired and has been operating in that capacity since that time. In addition, the Coweta County Water and Sewerage Authority was in the process of re-routing the water lines to increase water pressure at the subject

property and new flow tests were provided on August 18, 2023. The Coweta County Public Works department also requested revisions to the turn lanes off Poplar Road and Newnan Crossing Bypass to accommodate large trucks and this required additional discussions with a new storage facility located just off the exit for Poplar Road. Final confirmations regarding the location of the turn lane and striping were received on August 24, 2023, and final plans were submitted to staff on August 25, 2023 for approval. She also explained that the developer has been actively working on civil and architectural plans since February 2023. Unfortunately, many issues/items were out of their control. They do not believe that a 4-month extension will adversely affect the citizens of the county and are hopeful that the entire four (4) months will not be needed to obtain a land disturbance permit. In conclusion, she explained that Mr. Eric Taylor from Jim Ellis Automotive group was present to field any questions from the Board.

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

3. 14113 Request Direction from the Board Regarding Condition # 11 Associated with Previous Petition # REZ 22-23 Filed by JBE Realty Holdings, LLC (dba Jim Ellis Automotive Group) for Property Located at Doc Turner Way, Newnan - District 2

Zoning Coordinator Lisa Eschman explained that at the Commission meeting held on October 4, 2022, the Board voted to rezone 7.62± acres located at 154, 156, and 162 Doc Turner Way, Newnan (Parcels # 087B-016, # 087B-0165A, and # 087B-016B) from *RC (Rural Conservation)* to *C-8 (Heavy Commercial District)* as requested in Petition # REZ 22-23 filed by JBE Realty Holdings, LLC (dba Jim Ellis Automotive Group), subject to eleven (11) conditions. Condition # 11 requires that a land disturbance permit (LDP) be obtained within a 12-month period. As of September 27, 2023 a land disturbance permit has not been issued and the applicant is requesting a four-month extension because of the unexpected death of owner Mr. Jim Ellis on November 5, 2022, re-routing of water lines to increase water pressure at the site by the Coweta County Water and Sewerage Authority (flow tests were provided on August 18, 2023), and revisions to turn lanes off Poplar Road and Newnan Crossing Bypass to accommodate large trucks as requested by the Public Works Department. She noted that the final confirmation for the turn lanes occurred on August 24, 2023. Subsequently, staff is seeking direction from the Board regarding the applicant's request for an extension. Lastly, should the Board choose to approve the extension, staff recommends that a future Public Hearing be scheduled on the second meeting in February 2024.

In response to a question from Chairman Reidelbach, Public Works Director Handley explained that it was several months after the Board voted to approve the rezoning that a pre-submittal meeting was requested (January 2023). He explained that this was possibly because of Mr. Ellis' passing and subsequent business transition. After the pre-submittal meeting, staff spent several months meeting with their engineer to ensure that trucks will be able to navigate the turn from Poplar Road and from Newnan Crossing Bypass onto Doc Turner Way. Typically, twelve (12) months is adequate time to obtain a land disturbance permit (LDP) depending on the type of development. However, there were extenuating circumstances in this particular case.

In response to a question from Commissioner Smith, Mr. Handley explained that there were several months between approval by the Board and submission of plans, which are a part of the application.

In response to questions from Commissioner Smith, Ms. Griffis explained that her clients (Jim Ellis Automotive Group) submitted the application, and just after the Board approved the rezoning Mr. Ellis passed away unexpectedly. Subsequently, it took a few months before a person was in position with the authority to proceed with the project. They hope to obtain the LDP this year, but are not certain how long it might take to address any outstanding issues with staff.

In response to Commissioner Smith, Mr. Handley explained that staff has been working closely with their engineer to resolve the issue with turning radius for large vehicles.

Administrator Fouts explained that Community Development Director Jon Amason or Assistant Community Development Director Ben Sewell might be able to address any other aspects of the project.

Community Development Director Amason explained that he cannot say exactly how long it will take to issue the LDP because the amount of time needed for staff to ensure that all the plans meet the requirements of the *Coweta County Code of Ordinances* is dependent upon the applicant's design professionals.

In response to a question from Chairman Reidelbach, Ms. Griffis explained that the Coweta County Water and Sewerage Authority notified the developer that the water flow test was completed on August 18, 2023.

Administrator Fouts explained that should the Board choose to grant the applicant an extension, a future Public Hearing will be necessary in case the applicant does not meet the four-month deadline.

The Board voted to set a Public Hearing on the second meeting in February 2024 (yet to be determined) at 6:00 p.m. regarding possible rezoning of 7.62± acres located at 154, 156, and 162 Doc Turner Way, Newnan (Parcels # 087B-016, # 087B-0165A, and # 087B-016B) from C-8 (*Heavy Commercial District*) to RC (*Rural Conservation*) thereby granting the applicant [JBE Realty Holdings, LLC (dba Jim Ellis Automotive Group)] a four-month extension to obtain a Land Disturbance Permit (LDP) [see Condition # 11 of previous Petition # REZ 22-23].

RESULT:	PUBLIC HEARING SET/FINAL [UNANIMOUS]
MOVER:	Bill McKenzie, District 2
SECONDER:	Paul Poole, District 1 - Vice Chairman
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

4. 14114 Request Direction from the Board Regarding Condition # 10 Associated with Previous Petition # REZ 22-25 Filed by Mark Woods and C. Harris Holdings, LLC (Harris MHP Revitalization) for Property Located at Sweeper Smith Road, Clemit Harris Road/Harris Circle, and Welcome to Arnco Road, Newnan - District 2

Zoning Coordinator Eschman explained that at the Commission meeting held on October 4, 2022, the Board voted to rezone 37.16± acres located off Sweeper Smith Road, Clemit Harris Road, and Welcome to Arnco Road, Newnan (Parcel # 047-5096-006, # 047A-102A, and # 047A-110) from RC (*Rural Conservation*) to RC-SUP (*Rural Conservation with Special Use Permit*) as requested in Petition # 22-25 filed by Mark Woods and C. Harris Holdings, LLC (Harris MHP Revitalization), subject to ten (10) conditions. Condition # 10 requires that a land disturbance permit (LDP) be obtained within a 12-month period. As of September 27, 2023, a land disturbance permit has not been issued and the applicant is requesting a four-month extension because of their involvement in a recently settled litigation matter and because the applicant/developer is working with Community Development regarding details related to a cul-de-sac at the end of Harris Drive. Subsequently, staff is seeking direction from the Board regarding the applicant's request for an extension. Lastly, should the Board choose to approve the extension, staff recommends that a future Public Hearing be scheduled on the second meeting in February 2024.

Commissioner McKenzie explained that the property owner is donating property needed for the cul-de-sac and the County should pay for its construction because it is a matter of safety. He also explained that in extensive conversations with former Commissioner Tim Lassetter he (Lassetter) has stated that had he known the cul-

de-sac was necessary at the time of the rezoning, he would have recommended that it be a condition of zoning.

Attorney Lee explained that he and Ms. Griffis (applicant's attorney) have met to discuss the laws/procedures by which the Board can approve construction/paving of the cul-de-sac.

Administrator Fouts clarified that the applicant will be filing a variance request, and the construction/paving of the cul-de-sac can then be added as a condition by the Board.

The Board voted to set a Public Hearing on the second meeting in February 2024 (yet to be determined) at 6:00 p.m. regarding possible rezoning of 37.16± acres located off Sweeper Smith Road, Clemit Harris Road, and Welcome to Arnco Road, Newnan (Parcel # 047-5096-006, # 047A-102A, and # 047A-110) from *RC-SUP (Rural Conservation with Special Use Permit)* to *RC (Rural Conservation)* thereby granting the applicant (Mark Woods and C. Harris Holdings, LLC (Harris MHP Revitalization) a four-month extension to obtain a Land Disturbance Permit (LDP) [see Condition # 10 of previous Petition # 22-25].

RESULT:	PUBLIC HEARING SET/FINAL [UNANIMOUS]
MOVER:	Bill McKenzie, District 2
SECONDER:	Paul Poole, District 1 - Vice Chairman
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

5. 14106 Request to Set a Public Hearing on October 17, 2023 Regarding a New Package Beer and Wine License Filed by Anandkumar Pandya in Operation of Valero Food Mart (Khodal 369, LLC) Located at 3079 East Highway 34, Newnan - District 4

The Board voted to set a Public Hearing on October 17, 2023 at 6:00 p.m. regarding a New Package Beer and Wine License application filed by Anandkumar Pandya in operation of Valero Food Mart (Khodal 369, LLC) located at 3079 East Highway 34, Newnan (Parcel # 121-6038-003F).

RESULT:	PUBLIC HEARING SET [UNANIMOUS] Next: 10/17/2023 6:00 PM
MOVER:	Al Smith, District 5
SECONDER:	Bob Blackburn, District 3
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

UNFINISHED BUSINESS

6. 14098 Request Appointments to Various Boards/Authorities

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

- Reappoint Mr. Freeman Elliott as Citizen Representative # 2 to the Board of Trustees for the Group Pension Plan for the term beginning January 1, 2024 and expiring December 31, 2026.
- Reappoint Mr. Eric Smith as Employee Representative # 2 to the Board of Trustees for the Group Pension Plan for the term beginning January 1, 2024 and expiring December 31, 2026.
- Reappoint Ms. Cathy Farr as Employee Representative # 2 to the Board of Trustees for the Salary Deferral Plan and Employee Matching Plan for the term beginning January 1, 2024 and expiring December 31, 2026.

- Appoint Ms. Annamarie Salazar to serve as Citizen Representative # 2 to the Board of Trustees of the Salary Deferral Plan and Employee Matching Plan for the term expiring December 31, 2023. In addition the Board voted to reappoint Ms. Salazar to the same position for the term beginning January 1, 2024 and expiring December 31, 2026.
- Reappoint Ms. Beth Willems as an At-Large member of the Coweta County Library System Board of Trustees for the term beginning January 1, 2024 and expiring December 31, 2026.
- Reappoint Mr. Hank Moody as the 4th District Representative to the Newnan-Coweta County Airport Authority for the term beginning January 1, 2024 and expiring December 31, 2027.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Reidelbach, District 4 - Chairman
SECONDER:	Paul Poole, District 1 - Vice Chairman
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

NEW BUSINESS

Bids and Contracts

7. 14116 Request Approval/Execution of the First Amendment to an Agreement with ADP Associated with Enhanced Affordable Care Act (ACA) Support

Administrator Fouts explained that Coweta County utilizes ADP for many Human Resources functions including payroll, leave accruals, benefits management/open enrollment, compliance needs and other functions. One area that has expanded greatly over the last few years has been compliance with the Affordable Care Act (ACA). Required compliance activities include maintaining eligibility and affordability calculations; generating and distributing IRS 1095C forms; IRS ACA reporting; and management of exchange information. Because of the increase in compliance activities related to the ACA, the importance of maintaining knowledge of any changes to the program, and the liability involved with these compliance activities, staff has recognized the need for further support in this area. ADP offers an option to amend the County's current agreement to provide enhanced ACA support including a notice of coverage, monthly ACA eligibility calculations, monthly affordability calculations, ACA IRS form generation, printing/posting/distributing Form 1095C to employees, ACA IRS reporting, state reporting, exchange management and penalty management. Because of the County's current use of ADP, this is a cost effective and efficient method to meet these compliance needs.

The Board voted to execute the First Amendment to the Major Accounts Agreement with ADP in the amount of \$9,200 associated with enhanced Affordable Care Act (ACA) support.

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

8. 14117 Request Approval/Execution of an Agreement of Acceptance Associated with a Proposal from Granicus Related to Expanding Messaging and Outreach Capabilities

Administrator Fouts explained that multiple communications tools and methods of

outreach are the norm today. Staff is continuing to grow and expand resources to meet the varied communications needs of Coweta's citizens. Granicus, the County's website provider, offers optional tools to help in this effort. Staff is in receipt of a proposal from Granicus that will provide the ability to send text messages or email alerts for important news, meetings, events, job postings, etc as requested by citizens. The proposal also provides back-end integration support to increase internal efficiency and message consistency, automated campaigns/messages and citizen selected options to receive information on a variety of topics. Because of the County's existing relationship with Granicus, this proposal will allow for a seamless transition since Granicus houses Coweta County's website. The cost for the services includes a one-time set up fee of \$2,934 and the annual subscription fee is \$7,030 for up to 5,000 subscribers.

The Board voted to execute an Agreement of Acceptance with Granicus related to expanding messaging and outreach capabilities.

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

Additional Action Items

9. 14118 Request Approval/Execution of Resolutions Associated with Right-of-Way Acquisition for the Sullivan Road Widening and Improvement Project (RB16.13) - District 4

The Board voted to execute Declarations of Condemnation for Parcel # 13 and Parcel # 47 associated with the Sullivan Road widening and improvement project (RB16.13).

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

10. 14101 Request Adoption of the Public Transit Agency Safety Plan (PTASP)

Assistant Administrator Mickle explained that staff plans to apply for 5307 urban transit funding through the Atlanta Transit Link Authority (ATL) beginning with the 2024 grant year. The Public Transit Agency Safety Plan (PTASP) is a new Federal Transit Agency (FTA) requirement in order for transit agencies to access 5307 funding. Staff has worked with Whitman, Requardt & Associates (WRA), its transit consultant, to prepare a PTASP. The Plan establishes a policy statement, a Safety Committee to assess risks and related processes, recurring training for transit staff, and a way for drivers to submit safety concerns, among other things. The initial PTASP has to be submitted to the Georgia Department of Transportation (GDOT) for review and approval. Each year thereafter, the plan must be reviewed for any necessary updates and submitted to ATL.

The Board voted to adopt a Public Transit Agency Safety Plan (PTASP) for Coweta Connect, the County's transit program, as presented by staff.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Paul Poole, District 1 - Vice Chairman
SECONDER: Bill McKenzie, District 2
AYES: Reidelbach, Poole, McKenzie, Blackburn, Smith

11. 14092 Request to Set a Public Hearing on November 2, 2023 Regarding a Proposed Abandonment of Sawmill Road - District 2

The Board voted to set a Public Hearing on November 2, 2023 at 6:00 p.m. regarding a proposed abandonment of Sawmill Road.

RESULT: **PUBLIC HEARING SET [UNANIMOUS] Next: 11/2/2023 6:00 PM**
MOVER: Al Smith, District 5
SECONDER: Paul Poole, District 1 - Vice Chairman
AYES: Reidelbach, Poole, McKenzie, Blackburn, Smith

SUPPLEMENTAL AGENDA ITEMS

12. 14121 Request Approval/Execution of a Resolution to Reform and Improve Mental Health Services

Administrator Fouts explained that staff is in receipt of a request from the Association County Commissioners of Georgia (ACCG) for the Board to consider adoption of a Resolution urging the Governor and General Assembly to continue efforts to reform and improve mental health services for the citizens of Georgia.

The Board voted to execute a Resolution urging the Governor and General Assembly to continue efforts to reform and improve mental health services for the citizens of Georgia.

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

PUBLIC COMMENT (Items Not on the Agenda)

Public Comments Regarding Items Not on the Agenda

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

Note: For ease of transcription, speakers below are not in order of appearance, but in order of topic.

The following individuals addressed the Board regarding their beliefs that the current voting machines (ballot marking devices/BMDs) are vulnerable/hackable, unfair/unsecure, manufactured in China, provide the potential for illegal immigrants to vote, results are not verifiable, propagate a lack of voter confidence/trust, election anomalies, unreadable and illegal QR codes, fraudulent voter registrations, inaccurate tabulations, and the need for verifiable hand-counted paper ballots.

* Mr. Sean Miller, Freeman Forest Drive, Newnan

* Ms. Jasmine Meehan, Quig Youngs Road, Moreland

* Mr. Maxwell Britton, Marion Beavers Road, Sharpsburg

Mr. Britton also thanked Chairman Reidelbach and Commissioner McKenzie for attending a recent demonstration of a ballot counter for hand-marked paper ballots (procured by another supporter of paper ballots) and expressed his disappointment that Commissioner Poole, Commissioner Blackburn, and Commissioner

Smith did not attend. He added that an opportunity for homeschoolers to participate in a demonstration would be educational, and encouraged the Board to continue to investigate the use of paper ballots.

The following individuals addressed the Board regarding overcrowding at the Animal Shelter, euthanization lists, training of inmates to care for the animals, outbreak of Parvo, the need for more volunteers at the Shelter, better use of budgeted funds for the Shelter, lack of a full-time veterinarian, and challenges to increase adoption rates. They requested a collaborative effort with the Board to resolve these issues.

* Ms. Linda Earhardt, Ashley Court, Newnan

* Ms. Gail Lustig, Stoney Oak Drive, Newnan

* Mr. Jason Jean, Lower Fayetteville Road, Newnan

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

Motion To: **Enter Into Executive Session**

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

Members in attendance included Chairman Reidelbach, Commissioner Poole, Commissioner Blackburn, Commissioner Smith, and Commissioner McKenzie. Staff members in attendance included Administrator Fouts, Assistant Administrator Mickle, Assistant Attorney Lee, Community and Human Resources Director Patricia Palmer, and County Clerk Zerangue.

Fire Chief Robby Flanagan and Administrative Services Director for Fire Rescue Cathy Farr were also in attendance to discuss a litigation issue.

Attorney Karen Woodward with Cruser, Mitchell, Novitz, Sanchez, Gaston & Zimet (Human Resources counsel) also attended the meeting via teleconference to discuss litigation/potential litigation issues.

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

REGULAR SESSION

Motion To: **Return to Regular Session**

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bob Blackburn, District 3
SECONDER:	Bill McKenzie, District 2
AYES:	Reidelbach, Poole, McKenzie, Blackburn, 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
SECONDER: John Reidelbach, District 4 - Chairman
AYES: Reidelbach, Poole, McKenzie, Blackburn, Smith

Motion To: Approve a Personnel Action

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

RESULT: APPROVED [UNANIMOUS]
MOVER: Bob Blackburn, District 3
SECONDER: Al Smith, District 5
AYES: Reidelbach, Poole, McKenzie, Blackburn, Smith

ADJOURNMENT

Motion To: Adjourn

The Board voted to adjourn the meeting.

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