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, September 19, 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	
Kelly Mickle	Assistant Administrator	Present	
Eddie Whitlock	Associate Administrator	Present	
Nathan Lee	County Attorney	Present	
Fran Collins	Deputy County Clerk	Present	

The Honorable Board of Commissioners of Coweta County, Georgia met in Public Hearing/Regular Meeting Session on Tuesday, September 19, 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

REGULAR SESSION

Motion To: **Amend the Agenda**

The Board voted to amend the agenda to remove Item # 15 - *Bid Award Associated with Enforcement of Ordinance Regulating Rank Plant Growth and Trash Accumulation for Property Located at 1 Sweetbriar Court, Sharpsburg* and Item # 18 - *Request Adoption of the Public Transit Agency Safety Plan (PTASP)* as requested by staff.

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

AWARDS AND PRESENTATIONS

1. 14053 Presentation of the Coweta County Forestry Unit Annual Report

Chief Ranger Terry Quigley presented the Fiscal Year 2023 annual report of the Coweta County Forestry Commission. He explained that the Coweta Forestry Unit consists of four (4) rangers who respond to Coweta, South Fulton, and Fayette Counties (327,074± forested acres). He further explained that Coweta County is considered to be 61% forested containing 171,762± forested acres. He provided a summary of equipment and annual costs, and explained that ten (10) wildfires occurred in Coweta County during 2023. He highlighted the Unit's assistance to landowners, burns/prescribed burns, new burning rules, emergency response capabilities, forest management, reforestation, seedling sales, and public relations/education. He also noted that the City of Newnan has qualified as a "Tree City" for thirty-four (34) years. He reviewed the burn law (O.C.G.A. § 12-6-90) which states that a permit is no longer required for residential burning (backyard burning). The law (also known as SSTAR) allows residential burning without a permit beginning October 1st and ending April 30th each year, if the following five (5) requirements are followed:

- Fires must be located at least twenty-five (25) feet from the wood line(s).
- Fires must be located at least fifty (50) feet from structures (including fencing, dog houses, homes, sheds, etc.).
- Burning is allowed from sunrise to sunset.
- Fires must be attended at all times.
- The area must be raked, a water source must be located nearby, the area must be cleared, and blocks or pits are allowed.

Ranger Quigley further explained that if a backyard fire should get out of control and the five (5) requirements have not been met, a fine will be levied for costs associated with suppression of the fire.

Ranger Quigley also highlighted current spots of infestation by Southern Pine beetles explaining that damaged/sick trees attract beetles. He noted that citizens can contact the forestry unit if they would like advice from a Ranger or to have a Ranger visit their property to determine if there is a beetle infestation. Unfortunately, there is no treatment for an infestation so infected trees must be cut down along with any healthy trees nearby.

In closing, he explained that the vision of the Unit is to ensure healthy, abundant forests that support a robust industry while providing social, environmental and financial benefits to all of Georgia and that their mission it to provide leadership, service and education in the protection and conservation of Georgia's forest resources.

During his presentation Chief Quigley fielded questions from Commissioner Smith regarding firebreak installation training.

The Board expressed appreciation to Chief Ranger Quigley for his presentation and for the services he and his staff provide.

RESULT:	**PRESENTED**

APPROVAL OF MINUTES

2. **Minutes of Thursday, September 07, 2023**

The Board voted to approve the minutes from the Public Hearing/Regular Meeting Session held on Thursday, September 7, 2023.

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

CONSENT AGENDA

3. 13887 Confirm Execution of a Proclamation Designating "Constitution Week" in Coweta County

The Board voted to confirm execution of a proclamation designating September 17 - 23, 2023 as "Constitution Week" in Coweta County.

Ms. Brenda Jessel, Ms. Gail Sawyer, Ms. Claudia Johnson, Ms. Pat McBurnett, Ms. Carolyn Walz, Ms. Fay Dressler, and Ms. Mary Long, members of the General Daniel Newnan Daughters of the American Revolution, were present to accept the proclamation.

RESULT:	**CONFIRMED [UNANIMOUS]**
MOVER:	Bill McKenzie, District 2
SECONDER:	Bob Blackburn, District 3
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

SUPPLEMENTAL AND NON-AGENDA ITEMS

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

The Board voted to approve the addition of two (2) Non-Agenda items for discussion as presented by staff.

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

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

4. Motion To: **14047 : New Consumption Distilled Spirits, Beer & Wine License - Miller's Ale House, Inc.**

Business License Coordinator Joy Thompson explained that John Takvorian, license representative and manager of Miller's Ale House, Inc located at 60 Fischer Marketplace Lane, Sharpsburg (Parcel # 145-6133-031) has applied for a new consumption distilled spirits, beer, and wine license. The Business and Alcohol License Division 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. Takvorian 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. In closing, she explained that a Certificate of Occupancy (CO) must be obtained before the alcohol license is issued.

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

Chairman Reidelbach called for any comments in support of or in opposition to the proposed alcohol license. There were none.

The Board voted to close the Public Hearing regarding a new consumption distilled spirits, beer, and wine license filed by John Takvorian, license representative and manager of Miller's Ale House, Inc located at 60 Fischer Marketplace Lane, Sharpsburg (Parcel # 145-6133-031).

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

14047 Public Hearing Regarding a New Consumption Distilled Spirits, Beer and Wine License Filed by John Takvorian in Operation of Miller's Ale House, Inc. Located at 60 Fischer Marketplace Lane, Sharpsburg - District 1

The Board voted to grant a new consumption distilled spirits, beer, and wine license to John Takvorian, license representative and manager of Miller's Ale House, Inc located at 60 Fischer Marketplace Lane, Sharpsburg (Parcel # 145-6133-031) with the caveat that a Certificate of Occupancy (CO) must be obtained prior to issuance of the alcohol license.

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

REGULAR SESSION

PUBLIC COMMENT (Items on the Agenda)

Public Comments Regarding Items On the Agenda

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

Mr. Michael McElroy, Sharpsburg addressed the Board regarding a proposed amendment to the Animal Services Ordinance (agenda item # 19). He expressed his appreciation to the Board for taking into consideration the insurance thresholds required for dogs designated as dangerous by the Animal Services Board.

Ms. Linda Menk, Avondale Circle, Newnan addressed the Board regarding the proposed Fiscal Year 2024 budget (agenda item # 16). She explained that she filed an open records request with Elections and Voter Registration Manager Ashley Gay and Assistant Administrator Mickle. She received a response that it would take forty-five (45) days to respond and that the cost for the documents would be $1,553.56. She made payment on August 2, 2023 and the open records request was completed on September 15, 2023. She is unhappy with the documents that were provided and feels that is a violation of the Georgia Open Records Law and a scam because she feels that she didn't receive all the documents she requested and paid for. She submitted another request on Monday, September 18, 2023 and has not received acknowledgement that her email was received. She further expressed that the easiest way to take away the rights of the citizens is through the voting system and she feels that the response to her open records request was disrespectful and undermines public confidence.

Mr. Mark Hines, Carl Williams Road, Senoia addressed the Board regarding the proposed Fiscal Year 2024 budget (agenda item # 16). He explained that he has a vested interest in the open records request Ms. Menk mentioned. He expressed concerns regarding the proposed budget for Elections and Registration and feels that something is wrong. He also expressed his belief that the current voting machines are vulnerable to hackers and he does not support approving funds to purchase more machines. He stated that Commissioner Poole told him that an entire district of absentee ballots "showed up in Coweta County" and he feels that should not be possible because he believes that the citizens of Coweta County get out and vote.

Ms. Angie Whitlock, Evergreen Drive, Newnan addressed the Board regarding the proposed Fiscal Year 2024 budget (agenda item # 16). She explained that she is the President Newnan-Coweta Humane Society and their mission to alleviate pet overpopulation. The Humane Society believes that businesses, families and corporations value the status of a county that supports animal services, rescues and adoptions. The rescue organizations have been trying to move Coweta to a "no kill" county, and the County was there for a while but not any longer. She encouraged the Board to include support in the budget for some temporary measures at the Coweta County Animal Shelter. She further encouraged the Board to fully support funding to construct an Adoption Center in the county. Rescue groups are doing all they can to help Coweta County Animal Services, but the Animal Shelter is over capacity and the Department of Agriculture will not allow further expansion of the existing building. With the exploding population of Coweta County, businesses need to be shown that this issue can be addressed.

Mr. Alan Brady, Barrington Overlook, Sharpsburg addressed the Board regarding the proposed Fiscal Year 2024 budget (agenda item # 16). He expressed his pleasure that the Board executed a proclamation for "Constitution Week". He encouraged the Board not to be pressured into spending vast sums of money on unsecure and unreliable computer managed voting systems that are in violation of State law. He urged the Board to turn to time tested, fair, accurate, and less expensive hand-marked hand-counted paper ballots.

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

5. **14080 Public Hearing Regarding Petition # REZ 23-07 Filed by U-Haul Corporation Requesting to Rezone Property Located at 97 Gordon Road, Newnan**

The Board voted to set a Public Hearing on October 17, 2023 at 6:00 p.m. regarding Petition # REZ 23-07 filed by U-Haul Corporation requesting to rezone property located at 97 Gordon Road, Newnan (Parcel # 088-2070-003).

RESULT:	**PUBLIC HEARING SET [UNANIMOUS] Next: 10/17/2023 6:00 PM**
MOVER:	Al Smith, District 5
SECONDER:	Paul Poole, District 1 - Vice Chairman
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

6. **14087 Public Hearing Regarding Petition # REZ 23-13 Filed by Trinity Christian School Requesting to Rezone Property Located at 8861 Hwy 54, Sharpsburg**

The Board voted to set a Public Hearing on October 17, 2023 at 6:00 p.m. regarding Petition # REZ 23-13 filed by Trinity Christian School requesting to rezone property located at 8861 Hwy 54, Sharpsburg (Parcel # 145-6153-013).

RESULT:	**PUBLIC HEARING SET [UNANIMOUS] Next: 10/17/2023 6:00 PM**
MOVER:	Al Smith, District 5
SECONDER:	Paul Poole, District 1 - Vice Chairman
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

UNFINISHED BUSINESS

7. 14064 Request Appointments to Various Boards/Authorities

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

RESULT:	**NO ACTION TAKEN**

NEW BUSINESS

Bids and Contracts

8. 14086 Bid Award Associated with Asphalt-Rubber Joint and Crack Seal on Various County Roads (RB23.14) - Districts 1, 2 and 4

Administrator Fouts explained that bids were solicited for the performance of Asphalt-Rubber Joint and Crack Seal on various County roadways (35± miles). Staff received three (3) bids meeting the specifications of the request for proposals (RFP) and recommends that the Board retain Remac, Inc to perform the work.

The Board voted to retain Remac, Inc to perform Asphalt-Rubber Joint and Crack Seal on 34.61± miles of various County roadways (RB23.14) at a total cost of $189,500.80 (SPLOST).

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

9. 14083 Bid Award Associated with Construction of Sullivan Road Widening (RB16.13) - District 4

Administrator Fouts explained that staff solicited bids for construction to widen Sullivan Road (RB16.13) and five (5) responses were received. Staff recommends that the Board retain Piedmont Paving, Inc to perform the work. In addition staff will be requesting approval to purchase the associated stormwater structures for the project which will result in a reduction of the total project cost (see agenda item # 10).

At Chairman Reidelbach's request, Public Works Director Tod Handley explained that Sullivan Road is very narrow with some areas of the travel lanes being 9-feet wide. This project will add 2 to 2.5 feet to the lanes to improve the safety along the roadway as well as the drainage along the road. With the road being as narrow as it is, it will be difficult for the contractor to construct the improvements during two-way traffic. Therefore during the clearing and construction of the project, the road will be converted to a one-way operation from the south end toward the north end (Lower Fayetteville Road to SR 34) with southward traveling vehicles will be detoured. Conversion of the roadway to a one-lane operation is to provide safety for the traveling public as well as the project crews.

In response to a question from Chairman Reidelbach, Mr. Handley explained that the one-way operation (south to north) will remain for the duration of the project. Upon completion of the project, the road will be reopened for two-way traffic.

In response to a questions from Commissioner Poole, Mr. Handley explained that the road is approximately two (2) miles in length and the project entail approximately 1.84 miles. There is over 15,000 feet of storm drain pipe that will be installed along the length of the road and staff plans to purchase the pipe as a means to reduce the cost of the project.

Administrator Fouts explained that construction will cost approximately $8 million, the pipe will cost approximately $500,000, in addition to right-of-way acquisition.

Mr. Handley explained that there are three (3) parcels remaining for right-of-way acquisition with two (2) of those being sent to the County Attorney's office for condemnation. The Golf Course is in the process of getting all the necessary documents executed through their lender.

In response to a question from Commissioner Smith, Mr. Handley explained that the contract provides seven hundred (700) days for the construction with the understanding that it will probably take six (6) to nine (9) months for all of the utilities to relocate their facilities. When all of the utilities have been relocated the contractor will be able to resume construction operations.

In response to questions from Chairman Reidelbach, Mr. Handley explained that for everyone's safety, staff also recommends that the roadway be a one-way during the utility relocation process. He further explained that numerous trees and brush will be removed from the right-of way as part of the project, and Lora Smith Road will be utilized as one of the detours for the traveling public.

In response to a question from Commissioner Smith, Mr. Handley explained that there should not be any disruptions/outages of utilities to residents/customers because the old lines remain in place until the new lines are connected and ready to provide service.

The Board voted to retain Piedmont Paving, Inc, on lowest and best bid basis, to perform construction to widen Sullivan Road (RB16.13) at a total construction cost of $7,995,880.97 (SPLOST).

RESULT:	**EXECUTED [UNANIMOUS]**
MOVER:	Bill McKenzie, District 2
SECONDER:	Bob Blackburn, District 3
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

10. 14085 Bid Award Associated with Storm Drain Materials for the Sullivan Road Widening Project (RB16.13) - District 4

Administrator Fouts explained that staff solicited separate bids to buy the storm drain materials directly for the Sullivan Road widening project. The low bid supplier came in with a bid of $489,768.80 while the low bid contractor’s price came in at $569,332.75 for the storm drain materials. The County is able to net a savings of $79,563.95 by supplying the storm drain materials for the project.

The Board voted to purchase storm drain materials from Oldcastle Infrastructure, on lowest and best bid basis, for the widening of Sullivan Road (RB16.13) at a total cost of $489,768.80 (SPLOST).

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

11. 14088 Request Approval/Execution of a Utility Relocation Agreement Associated with the Madras Connector, Phase 1 (RB13.9) - District 3

Public Works Director Handley explained that Phase 1 of the Madras Connector project will construct a new roadway location beginning at US 29 and extending to the east with a bridge over the CSX Railroad and Herring Road. The construction of the bridge over the CSX Railroad will require construction of bridge supports within the CSX right-of-way that will conflict with an existing fiber optic communications cable owned by Lumen/Level 3 Communications. Utilities that are located within County or Georgia Department of Transportation rights-of-way are not eligible for reimbursement of costs if relocation or adjustment of their facilities is necessary for a transportation project since utilities are allowed to use public ROW free of charge. However, utilities that are located on private property or within utility-acquired easements outside of the County or State ROW are eligible for reimbursement of the costs of their relocation efforts. The fiber optic cable within the CSX right-of-way that is owned by Lumin/Level 3 is eligible for reimbursement for the costs of adjustment or relocation. The company has provided a Relocation Agreement for this work, which is estimated to cost $36,869.30.

The Board voted to electronically execute a Utility Relocation Agreement with Lumen/Level 3 in the amount of $36,869.30 associated with the Madras Connector project, Phase 1 (RB13.9).

RESULT:	**EXECUTED [UNANIMOUS]**
MOVER:	Bob Blackburn, District 3
SECONDER:	Bill McKenzie, District 2
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

12. 14075 Request Approval/Execution of a Non-Residential Gas Extension Contract for the Canongate Community Center - District 4

The Board voted to authorize the Facilities Management Director to electronically execute a Non-Residential Gas Extension Contract with AGL Resources associated with the installation and maintenance of service lines and mains at the Canongate Community Center.

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

13. 14070 Request Approval/Execution of a Contract Associated with PSTrax Software Utilized by Fire Rescue

Administrator Fouts explained that Coweta Fire Rescue currently utilizes a software solution, PSTrax, to track various fleet and other asset maintenance issues related to the Fire Department, EMS, and Transit. Staff is in receipt of a renewal contract, which is for a one (1) year term, beginning October 1st. The annual cost for Fire Rescue is $27,392, and the annual cost for Transit is $2,275.

The Board voted to execute an Agreement with PSTRax associated with software to be utilized by Coweta Fire Rescue ($27,392 annually) and Coweta County Transit ($2,275 annually).

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

14. 13913 Request Approval/Execution of Agreements Associated with Tax Collection Services Provided by the Tax Commissioner

Administrator Fouts explained that Tax Commissioner Justin McMichael and County staff have drafted revised agreements to authorize the Tax Commissioner to collect property taxes on behalf of the City of Grantville, City of Haralson, Town of Moreland, City of Newnan, City of Senoia, Town of Sharpsburg, and Town of Turin. Under the terms of the agreement, the Tax Commissioner will issue a consolidated tax bill (City and County) and collect property taxes on behalf of both entities. In addition to updating the Agreements to incorporate Mr. McMichael as the new Tax Commissioner, there are two other revisions to the Agreements. First, the collection amount will change from $1.25 to $1.50 per billable parcel. The second change is the terms in which the Tax Commissioner shall remit payments. The Tax Commissioner will remit the City's portion of the taxes levied on property within the City on a scheduled basis. The term of the agreement shall begin on October 1, 2023, and terminate on September 30, 2024. Thereafter, the agreement shall be automatically renewed annually on October 1st of each succeeding year unless terminated by either party.

In response to a question from Chairman Reidelbach, Tax Commissioner Justin McMichael explained that bills are already being sent to citizens from the Tax Commissioner's office and since the bills are consolidated to include the City and the County, the postage is paid by the County.

The Board voted to execute Tax Collection Agreements with the Coweta County Tax Commissioner, City of Grantville, City of Haralson, Town of Moreland, City of Newnan, City of Senoia, Town of Sharpsburg, and Town of Turin associated with tax collection services for said municipalities.

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

15. 14079 Bid Award Associated with Enforcement of Ordinance Regulating Rank Plant Growth and Trash Accumulation for Property Located at 1 Sweetbriar Court, Sharpsburg - District 4

The Board previously voted to amend the agenda to remove item # 15 - "*Bid Award Associated with Enforcement of Ordinance Regulating Rank Plant Growth and Trash Accumulation for Property Located at 1 Sweetbriar Court, Sharpsburg*" as requested by staff.

RESULT:	**REMOVED FROM AGENDA**

Additional Action Items

16. 14068 Decision Regarding the Proposed Fiscal Year 2024 Budget

Administrator Fouts explained that the Board conducted a Public Hearing regarding the proposed Fiscal Year 2024 budget on September 7, 2023. Since the Public Hearing, staff has made two (2) adjustments, including an additional $35,256 to the General Fund and $5,100,580 to the American Rescue Plan Act (ARPA) fund. In closing, he explained that staff is proposing a final General Fund budget of $109,877,095 for Fiscal Year 2024.

In response to a question from Commissioner McKenzie, Administrator Fouts explained that even after the budget is adopted things occur which can be brought back to the Board for consideration as a budget amendment.

Chairman Reidelbach pointed out that the Board voted to rollback the millage rate and citizens should not see an inflationary increase to their property taxes (M&O and Fire), however, that does not include the millage rate set by the School Board, which the Commissioners have no control over. The County is good stewards of taxpayer money and because of that, the shortfall from the rollback was able to be funded from the General Fund fund balance.

The Board voted to execute a resolution to adopt the proposed Fiscal Year 2024 budget as presented by staff.

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

17. 14067 Request Approval/Execution of a Resolution to Continue Banking Relations During Fiscal Year 2024

Administrator Fouts explained that staff requests that the Board execute a resolution to maintain and continue banking relationships during Fiscal Year 2024. The resolution includes authorization for the Chairman of the Board, the County Administrator, Associate Administrator, Assistant Administrator, and Finance Director to be the signors of all checks or warrants against all monies deposited within designated accounts under the control and custody of the Board.

The Board voted to execute a resolution to continue banking relations in fiscal year 2024.

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

18. 14066 Request Adoption of the Public Transit Agency Safety Plan (PTASP)

The Board previously voted to amend the agenda to remove item # 18 "*Request Adoption of the Public Transit Agency Safety Plan (PTASP)*" as requested by staff.

RESULT:	**REMOVED FROM AGENDA**

19. 14076 Request Approval/Execution of an Amendment to Chapter 10. Animals of the Coweta County Code of Ordinances

Administrator Fouts explained that at the Commission meetings held on May 2 and May 16, 2023, the Board voted to adopt a comprehensive amendment to *Chapter 10. Animals* of the *Code of Ordinances* that became effective on July 1, 2023. In addition to the regulations established in State law (O.C.G.A. 4-8-1, et seq), the amendment enhanced the requirements for possession and confinement of a dangerous or vicious dog. Following the effective date, the Board directed staff to draft an amendment to revise the required insurance for dangerous dogs. Therefore, staff is recommending that the Board consider amending *Chapter 10. Animals*, *Sec. 10-154. Requirements for possession and confinement of a dangerous or vicious dog, paragraph (4).* The amendment changes the minimum insurance requirement for a dangerous dog to $500,000 (from $1 million) with the minimum required for a vicious dog being $1 million. If approved by the Board, the amendment will become effective immediately.

The Board voted to execute an amendment to *Chapter 10. Animals, Section 10-154* of the *Coweta County Code of Ordinances* associated with insurance requirements for possession and confinement of a dangerous or vicious dog as presented by staff to become effective immediately.

RESULT:	**EXECUTED [UNANIMOUS]**
MOVER:	Al Smith, District 5
SECONDER:	Bill McKenzie, District 2
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

20. 14072 Recommendations Regarding the Group Health Insurance Renewal for 2024

Administrator Fouts explained that as part of the Coweta County benefits package, self-insured group health insurance is offered to full-time employees and elected/appointed officials. The County has contracted with Cigna Health and Life Insurance Company since 2016 to provide medical and dental networks and to also provide third-party administration (TPA) services. In an effort to continue receiving the best healthcare products and services, the County's Broker, Alliant Insurance Services, marketed the Coweta County plan to other national carriers. This effort, while important to ensuring the best options for the employees, did not yield any other providers who would meet or exceed Cigna's proposal. Negotiations with Cigna resulted in a 7.9% increase ($1.1M) for the County's medical plan after beginning closer to 15%. As proposed in the Fiscal Year 2024 budget, this increase will be absorbed by the County, keeping the employee contribution for the High Deductible Health Plan (HDHP) flat for the 9th straight year. The only planned changes for the 2024 health benefit are federally mandated changes to the HDHP individual deductible (from $3,000 to $3,200) and the HAS contribution limits (individual, from $3,850 to $4,150; family, from $7,750 to $8,300). The dental and life insurance renewals are flat, resulting in no change for the employee portion of the dental insurance. Lastly, the retiree post-65 Medicare Supplemental health plan was also marketed by Alliant and resulted in a 7.5% decrease from Aetna.

The Board voted to approve the 2024 group health insurance renewal with Cigna, to approve the post-65 Medicare Supplemental plan renewal with Aetna, and to approve renewal of existing supplemental benefits with Assured Benefits as proposed by staff, including authorizing the County Administrator to execute any necessary paperwork for these plans.

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

21. 14081 Request Approval/Execution of a Deed Associated with Redemption of Property Located on Ishman Ballard Road, Newnan - District 2

Assistant Administrator Mickle explained that staff is in receipt of payment for the redemption price associated with property located on Ishman Ballard Road, Newnan (Parcel 048-5031-014) consisting of 1.00± acres as described in Deed Book 4066, Page 476 of the Coweta County Superior Court Clerk's Office. Staff is requesting that the Board execute a Quit Claim Deed to convey the property to the original owner Mobile Brokers Servicing, LLC [redeemed by Mr. Elbert Walker (EWS, Inc)].

In response to a question from Commissioner McKenzie, Ms. Mickle explained that the redemption price was $4,494.19.

The Board voted to execute a Quit Claim Deed to convey property located on Ishman Ballard Road, Newnan (Parcel # 048-5031-014) to Mobile Brokers Servicing, LLC as a matter of tax redemption [redeemed by Mr. Elbert Walker (EWS, Inc)].

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

22. 14089 Request Approval to Utilize County Rights-of-Way and Property for the Annual "Lewis Grizzard Memorial Bike Ride"

The Board voted to approve a request from the Coweta County Ferst Foundation to utilize various County rights-of-way and property for the annual "Lewis Grizzard Memorial Bike Ride" on Sunday, October 1, 2023.

Chairman Reidelbach reminded participants to be courteous to all drivers on the road.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Al Smith, District 5
SECONDER:	John Reidelbach, District 4 - Chairman
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

SUPPLEMENTAL/NON-AGENDA ITEMS

23. 14094 Request Direction from the Board Regarding Clemit Harris Place - District 2

Administrator Fouts explained that at the Public Hearing held on December 2, 2021, the Board voted to amend the *Zoning and Development Ordinance* to provide for a *Special Use Permit* (*SUP*) that allows replacement of mobile or modular dwellings with site-built homes, establishing individual lots while not increasing the overall density or the level of non-conformity (see Ordinance # 050-21). At a Public Hearing 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 # REZ 22-25 filed by Mark Woods and C. Harris Holdings, LLC to redevelop/redesign the Harris Mobile Home Park (now known as the Clemit Harris Place development), subject to ten (10) conditions.

Public Works Director Tod Handley explained that the developer and project engineer submitted a preliminary plat and construction plans for the development. Upon review, staff noticed a note on the plans for a cul-de-sac to be constructed by the County. The cul-de-sac was not discussed as part of the rezoning petition (# REZ 22-25) as approved by the Board. Staff met with the developer, the developer's engineer, Administrator Fouts, Commissioner McKenzie, and former Commissioner Tim Lassetter to discuss the issue. The issue at hand is that the cul-de-sac is not fully contained within the County's right-of-way (ROW) and staff cannot perform work or construct the cul-de-sac on property outside of the County's ROW. Following the meeting, it was decided that staff would return to the Board and ask for consideration.

In response to questions from Chairman Reidelbach, Mr. Handley explained that the ROW needed to construct the cul-de-sac has not been donated to the County. Typically when construction plans are received for a development, improvements shown on those plans are going to be constructed by the developer. When staff saw the note that the cul-de-sac was going to be constructed by the County, staff questioned the plan. He further explained that if the County constructs the cul-de-sac, materials and hauling costs will be just over $24,000. He explained that in 2022, staff estimated it would cost $150,000 to rehabilitate streets located within the development and recommended that 50% ($75,000) be contributed by the developer as a condition of the rezoning. Staff recommended the 5o% contribution because the roads had already deteriorated to a point that the future demolition and construction that would be taking place within the development would further deteriorate the roads. The Board subsequently voted that the developer contribute $30,000 toward resurfacing and rehabilitation as a condition of rezoning instead of the recommended $75,000. He explained that the area required for the cul-de-sac is approximately 2/10 acres and should the cul-de-sac be included, the total cost will increase to approximately $174,000.

In response to a question from Commissioner Poole, Mr. Handley explained that the developer has not donated any land to the County.

Chairman Reidelbach noted that there is some value to the ROW and if the developer donates it to the County that value could be considered as part of the developer's contribution.

County Attorney Nathan Lee explained that the County cannot legally pay for development costs including roads because it is considered a gratuity.

In response to a question from Chairman Reidelbach, Mr. Handley explained that a cul-de-sac is necessary for larger vehicles like fire trucks, school buses, garbage trucks, etc to be able to turn around at the end of the street in that portion of the subdivision.

Attorney Lee explained that the Board approved the rezoning under the County’s Development Regulations and if the developer wants relief from that and the Board is so inclined, the developer will have to go through the rezoning process or apply for a variance.

In response to a question from Commissioner Smith, Attorney Lee explained that either the Board or a developer can initiate rezoning.

Commissioner McKenzie noted that as a condition of the rezoning (Petition # REZ 22-25), the developer is required to contribute $30,000 toward rehabilitation of the roads within the development and that the County will pay the remainder of costs ($120,000). The cul-de-sac was not discussed during the rezoning.

In response to questions from the Board, former Commissioner Tim Lassetter explained that at the Commission meeting held on October 4, 2022, Mr. Luke Thompson, owner of the subject property said that he would donate property to the County and was prepared to do so. As part of the rezoning process, after a rezoning is approved by the Board, the developer submits a construction plan for review by staff. When the County received the construction plan and reviewed it closely, the error was discovered. As the district Commissioner at that time, he felt that the $30,000 contribution toward rehabilitation of the roads was fair for the landowner and developer because of the existing condition of those roads. The planned revitalization of the subject property will be similar to the area around the Cotton Mills in East Newnan. The majority of the roads in the area of this development are already maintained by the County and the cul-de-sac was already needed because it is a public safety issue. Because of the proposed development, the landowner is willing to donate the property so that the County will not be working on private property. He thinks consideration should be given by the Board. If the Board feels that the land donation is not enough, he asked that the County limit the donation toward construction of the cul-de-sac to $10,000 because he believes the County should be responsible for the materials and labor costs because there is an existing County maintained road in that section of the development.

Attorney Lee explained that the County has a procedural process that must be followed, and this request is no different than any other developer requesting to change zoning conditions.

In response to questions from Commissioner Smith, Mr. Handley explained that staff would require a plat from the developer, a deed to dedicate the ROW to the County, and direction from the Board to construct the cul-de-sac.

Chairman Reidelbach explained to all that the legal process must be followed.

In response to questions from Chairman Reidelbach, Attorney Lee explained that a Quit Claim deed will suffice, and the ROW can be donated to the County now if the Board chooses, but the developer must go through the rezoning or variance process.

Mr. Lassetter explained that the cul-de-sac has nothing to do with the conditions of rezoning approved in 2022 and if there is a procedure necessary for a variance, he asked for the Board to extend the deadline to obtain a Land Disturbance Permit (LDP) at least six months (Condition #10).

Attorney Lee explained that extending the deadline would also require a Public Hearing because it would be considered a change to a condition of zoning.

Administrator Fouts explained that when staff initiates a rezoning it is up to the Board to decide when the Public Hearing is set.

Attorney Lee explained that when a Public Hearing is held, the Board can decide to revoke the rezoning or extend to the LDP if it chooses.

Administrator Fouts explained that the direction from the Board should be that the applicant submit an application for a variance and no action is necessary from the Board tonight.

Chairman Reidelbach explained to Mr. Thompson that he must submit an application for a variance to the Community Development Department, deed ROW to the County for the cul-de-sac, and then the Board will address extension of the LDP.

Mr. Thompson explained that they moved as fast as they could through the process, but the LDP has not been received back from the State and the October 4th deadline to obtain an LDP is approaching, which is the only thing lacking. If they have to come back to the Board with a variance, the deadline will have passed. He further explained that they are willing to work with the County in any way, are excited about the project, and that it will be good for the county.

Mr. Lassetter explained that there is less than 30-days from the October 4th deadline and some type of action is needed tonight.

Administrator Fouts explained that a variance for non-compliance with zoning conditions (Condition # 10) would be needed. In the past staff has scheduled those to be considered by the Board and the Board can then decide if it wishes to initiate rezoning of the property or grant more time to obtain the LDP. This issue can be considered at the October 3rd Commission meeting to set a Public Hearing in the future.

RESULT:	**NO ACTION TAKEN**

24. 14093 Request Acceptance of Proposal to Renew 2023-2024 Liability and Property Insurance

Mr. Kenneth Grace, Senior Vice President of Marsh & McLennan presented the renewal information associated with liability and property insurance coverage for the 2023-2024 term. He explained that this cycle has presented the most difficult market seen in 20+ years especially with property insurance for homeowners and commercial insurance rates across the nation. This year he is recommending drastic restructuring of the main casualty lines of insurance. He briefly reviewed the financial highlights including the 2023 market results and market summaries of the carriers approached. He explained that Zurich has been the County's primary property and liability property insurance carrier since 2019 but is not renewing because of claims losses and that they are no longer writing insurance for the Public Entity sector like many other insurers. He briefly reviewed the major lines of insurance purchased by the County, expiring insurance carriers, and the proposed renewal insurance carriers. The big change is moving auto liability, the auto physical damage, law enforcement, general liability, employment practices liability and public officials' liability lines to one insurer, Safety National a self-insured retention (SIR) modeled program. The County would be self-insured up to the self-insured levels of retention on those lines with an aggregate loss limit of $1.4 million. Most large counties in the state have moved to this type of program, brings the claims management internal with the support of PMA Companies, a third-party administrator (TPA), and gives more control and flexibility over claims decisions and settlement approvals. He explained he is still in negotiations with four (4) different property insurers, requested an additional time to receive the most viable offer, present the final recommendation to the County Administrators for approval.

Chairman Reidelbach pointed out that since exposure isn't as high, next year's rating factors will change.

Mr. Grace explained that the SIR will make for a more seamless renewal in future years.

Administrator Fouts explained Mr. Grace is recommending the self-insured model (SIR) with Safety National, within the approved budget staff projected an increase to cover the premiums as identified but did not plan to cover the proposed loss forecast. He suggested that staff work with Finance Director Hans Wilson and his team to use the General Fund fund balance, to set up a fund for it moving forward, and to bring back a fund balance policy to the Board for consideration in the future.

The Board voted to renew the Fiscal Year 2024 liability and property insurance as presented by Mr. Kenneth Grace from Marsh & McLennan.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paul Poole, District 1 - Vice Chairman
SECONDER:	John Reidelbach, District 4 - Chairman
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.

Mr. Mike Nixon, Lawn Market, Sharpsburg addressed the Board regarding Spalding County's decision to conduct hand counting of votes in parallel to machine counting in the next election and regarding issues with the voting machines including vulnerability and uncounted votes.

Ms. Linda Earhardt, Ashley Court, Newnan explained she is a Board member of the Newnan-Coweta Humane Society and Hearts and Homes. She explained that the Animal Shelter has been over capacity for some time and immediate action is necessary to alleviate the overcrowding. There is currently capacity for approximately 136 dogs; however, the Shelter is averaging 150-170 dogs at any one time. Rescue groups are doing all they can to assist, but they can only do so much. She asked that the Board consider the addition of twenty (20) double dog runs added at the Shelter to be utilized for forty (40) dogs. This is necessary because the Department of Agriculture is asking that metal crates not be used. As of today, there are 154 dogs at the Shelter with 6 that must be out by Friday or they will be euthanized. These are not problem dogs but recuse groups are having trouble finding fosters and/or funding to support these animals. It is awful to think these dogs will be euthanized because the Shelter ran out of time and space. Additionally, a regular veterinarian is needed at the Shelter a minimum of three (3) days per week [preferably 5 days per week]. The current vet is doing a great job with the time that she has available, but animals that have not been spayed/neutered and/or that have not been vaccinated for rabies are being adopted. In addition, there are animals at the Shelter that have not had an initial evaluation by the vet for over thirty (30) days. Not having a regular vet on duty has prevented adoptions and timely treatment of sick/injured animals. She suggested that a committee be formed to find a veterinarian and the Rescue groups will be more than happy to assist with this. In conclusion, she explained that she did not mention cats at the Shelter because overcrowding has not been an issue.

Mr. Maxwell Britton, Marion Beavers Road, addressed the Board regarding an open records request sent to Elections and Registration. He believes that all documents requested were not received, as required by Georgia Open Records Act. He also stated that the Board has been misinformed by the County Attorney regarding their legal ability to choose paper ballots and that Georgia law allows for the Board to make that determination. He requested that the Board seek a second opinion on the matter from an expert outside the County's counsel pertaining specifically to election law. He also noted that only two (2) Commissioners have agreed to participate in a demonstration of a ballot counter for hand-marked paper ballots procured by another supporter of paper ballots and encourage the remaining Commissioners to attend. In closing, he expressed his belief that the County's voter rolls need to be cleaned up.

Administrator Fouts explained that he was contacted earlier in the day by Ms. Norma Haynes. She was unable to attend the meeting tonight but asked if he would share with the Board an invitation to the Public Safety Appreciation luncheon hosted by the Public Safety Committee on October 5, 2023 at the Pine Road Fairgrounds.

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, and Deputy County Clerk Collins.

Community Development Director Jon Amason, and Public Works Director Tod Handley were also in attendance and Community and Human Resources Director Patricia Palmer was in attendance during discussion regarding a personnel issue.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	John Reidelbach, District 4 - Chairman
SECONDER:	Bob Blackburn, District 3
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:	Paul Poole, District 1 - Vice Chairman
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:	Al Smith, District 5
SECONDER:	Bob Blackburn, District 3
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

ADJOURNMENT

Motion To: **Adjourn**

The Board voted to adjourn the meeting.

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