



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, August 22, 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	Absent	
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, August 22, 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

AWARDS AND PRESENTATIONS

Recognition of Angela White

Chairman Reidelbach announced that Assistant Community Development Director Angela White is retiring at the end of the month with 35 years of service.

The Board recognized Ms. White for her 35 years of service to Coweta County, congratulated her on her upcoming retirement, expressed appreciation for her determination, caring, assistance, and friendship, and noted that the County has been lucky and blessed to have her as an employee.

Commissioner Poole presented Ms. White with flowers from him and his wife (Ms. Becky Poole) as a token of their appreciation.

Administrator Fouts expressed appreciation for Ms. White's numerous years of service, sacrifice, diligence, dedication, leadership, and hard work. He congratulated her on her upcoming retirement and expressed appreciation to her husband Scott White and her family for supporting her throughout her career.

The Board presented Ms. White with a framed picture signed by the Board and staff members as a token of their appreciation.

Ms. White expressed appreciation to the Board, County staff, the community, her husband and family, and expressed her hope that not only has she has done a good job during her career, but also represented her religious beliefs throughout her tenure.

1. 13977 Metropolitan Transportation Plan Update from the Atlanta Regional Commission

Mr. John Orr, Manager of Transportation from the Atlanta Regional Commission (ARC), expressed appreciation to Administrator Fouts and Public Works Director Handley for their close working relationship, and recognized Mr. Handley for leading the local transportation planning for Coweta County as well as representing the County at the Atlanta Regional Commission.

Mr. Orr explained that the ARC is currently working through an update to the Atlanta Area's Metropolitan Transportation Plan (MTP). This process takes place every four (4) years and the goal is to complete a transportation plan update by January for the Atlanta region which includes part of twenty (20) counties. The plan looks forward to the year 2050 to establish planning efforts that will be necessary to accomplish the transportation needs of the region through that date. He further explained that Coweta has been part of the regional planning process for approximately twenty (20) years, the ARC works closely with the regional counties to obtain funding for local projects that are critical, and there is \$25 million of funding in their capital budget for the community. He explained that the MTP is required by the federal government for the Atlanta region, must run through the year 2050, and includes maintenance costs, new project costs, and operational projects. Funds for the plan total approximately \$173 billion and includes federal, state and local funds for all of the twenty (20) counties. He noted that in a rapidly growing region such as metropolitan Atlanta and the Coweta, congestion and safety bottlenecks are a huge issue, and growth is overwhelming the existing infrastructure. The ARC is planning ahead to ensure projects are going through the pipeline to address those needs. Other counties in the region are expanding some of their bus services, bike-ped network, and livable centers initiatives (such as Newnan). He pointed out that the Atlanta region is growing rapidly, that growth rates are back to pre-pandemic numbers, and that rates are increasing in some places. The ARC is forecasting a population increase of 1.8 million in the metropolitan Atlanta region and an increase of 60,000 in Coweta County by 2050. He explained rapid growth in "green" manufacturing is also occurring. Information from regional policy makers, state, local and federal levels indicate that transportation improvements need to be in place to help manage growth and to ensure communities are thriving as well. Part of the MTP is looking at how to promote healthy, livable communities in the region and includes feedback from members in the community. He requested that the Board participate in and assist with distributing the MTP Participation Plan survey to the local community. In closing, he introduced Mr. Reginald James, Senior Planner, and Mr. Elizabeth Sanford, Leader of Community Engagement at ARC.

Chairman Reidelbach encouraged the public to take the Metropolitan Transportation Plan (MTP) Participation survey.

RESULT: PRESENTED

2. 13943 Presentation from the Wholistic Stress Control Institute

Mr. Derrick Lewis, Associate Director of the Wholistic Stress Control Institute (WSCI), explained that they are a recipient of a federal grant to provide substance abuse prevention to youth in Coweta County. Over the past three (3) years, WSCI has provided substance abuse education to 1,400 youth in the county between the ages of 9-19. WSCI conducts classroom presentations, peer education, and town hall meetings. He recognized Commissioner Al Smith and Major Mark Fenninger with the Coweta County Sheriff's Office, for their participation at a Stop Underage Drinking town hall meeting held on April 12, 2023 at Lee Middle School for four-hundred (400) eighth grade students and presented each with a plaque as a token of appreciation.

Major Fenninger explained that he has enjoyed participating with Commissioner Smith at the town hall meetings and other community events.

Commissioner Smith explained that he has also enjoyed participating at the town hall meetings with Major Fenninger.

RESULT: PRESENTED

APPROVAL OF MINUTES

3. **Minutes of Tuesday, August 08, 2023**

The Board voted to approve the minutes from the Public Hearing/Regular Meeting Session held on Tuesday, August 8, 2023.

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

CONSENT AGENDA

4. 14023 Confirm Execution of a Proclamation Designating September as "National Recovery Month" in Coweta County

The Board voted to confirm execution of a proclamation designating September 2023 as "National Recovery Month" in Coweta County.

Mr. Hank Arnold, Executive Director of Coweta F.O.R.C.E. (Friends of Recovery for Community Empowerment), was present to accept the proclamation. He explained that F.O.R.C.E is a local addiction recovery support center that provides no cost recovery support services for individuals and family members impacted by addiction. He expressed appreciation to the Board and the community for embracing the mission and purpose of F.O.R.C.E.

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

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

5. Motion To: **13981 : REZ 23-04 Freedom Land Holdings, LLC - Rezoning RC to RRCC**

Zoning Coordinator Lisa Eschman presented Petition # REZ 23-04 filed by Freedom Land Holdings, LLC requesting to rezone 95.51± acres located at 1071 Turkey Creek Road, Newnan (Parcels # 087-2028-015, # 088-2037-001, # 088-2037-003, # 088-2037-004, # 088-2037-005, # 088-2037-006, # 088-2037-007, and # 088-2037-008) from *RC (Rural Conservation)* to *RRCC (Residential Retirement Community and Care Community)* for a 55+ active senior living community. She explained that the proposed development will consist of two hundred five (205) single-family residential lots, contain a minimum area of 8,500 square feet and a minimum lot width of 60-feet, and will have a proposed density of 2.15 units/acre (95 acres). She further explained that the subject property is a portion of a combined nine (9) individual lots totaling 105.51± acres. The proposed site plan indicates an amenity area of 2.2± acres centrally located within the development and includes a 3,040 square feet community building, pickleball courts, an open field area, a fire pit, and a pavilion with picnic tables. A mulched nature walking trail is proposed from the amenity area and extends down the southern portion of the property. The primary and secondary open space areas have a combined total of 40.50± acres and are designated along the southern property boundary between the proposed development and the Orchard Hills Business Park. A 50-foot buffer is shown around the perimeter of the property adjoining the West Georgia Technical College campus and established residential properties. There are three (3) proposed entrances for the development with two (2) located off Turkey Creek Road and the third located off Campus Drive. She explained that the entire southern portion of the property is rendered unbuildable because of state waters and significant floodplain; therefore, this area should not be included as part of the overall acreage for the development. In conjunction with this application, the applicant has filed Petition # REZ 23-05 requesting to rezone 10.10± acres from *RC (Rural Conservation)* to *LM (Light Industrial)* for office/warehouse use. She reviewed the zoning classifications of the surrounding properties, highlighted the factors considered by staff during the application process, and explained that the proposed request exceeds the intent of the Comprehensive Plan for single family homes located within the Suburban Residential Area since the density is not low or moderate density. Additionally, the proposed *RRCC* zoning district allows dimensions for building lots that exceed the general intent of the Suburban Residential Character Area, the Interstate Gateway Character Area does not support the proposed *RRCC* as a corresponding zoning district, and that the request is not consistent with the Comprehensive Plan, or the Growth Strategy Plan as noted within the Suburban Residential, Interstate Gateway and Complete Community Character Areas. In closing, she presented twenty-five (25) conditions for consideration by the Board should they chose to approve the rezoning request.

In response to a request from Commissioner Smith, Ms. Eschman repeated the highlighted factors considered by staff.

In response to questions from Chairman Reidelbach and Commissioner Smith, Ms.

Eschman explained that later in the meeting the Board will be considering a request from the applicant to rezone an additional 10.10± acres for an industrial development (Petition # REZ 23-05), explained that the gateway character does not support the rezoning, and explained that the property lies within three (3) Character Areas of the Comprehensive Plan including Suburban Residential, Interstate Gateway, and Complete Community.

Ms. Melissa Griffis, applicant representative, explained that the applicant, engineer, and property owners are in attendance to field any questions from the Board. She requested that all documents and the constitutional letter be included in the minutes. She explained that the applicant faces challenges with the property because it is located within the Interstate Gateway, the Complete Community, the Growth Priority, and the Growth Maintenance area designations. Her team met with staff to come up with the best plan that would fit. She further explained that the subject site contains 95.51± acres, is currently zoned RC and that the applicant is requesting RRCC zoning for a 55+ active community development with fee simple ownership. The site plan consists of 40.50± acres of open space, two hundred five (205) single-family residential lots with 2.15 units/acre, and the proposed RRCC zoning is less dense than what could be allowed depending on which character area category is applied. Plans have been modified to include a third entrance with one (1) on Campus Drive and two (2) on Turkey Creek Road. The amenities package exceeds RRCC requirements and includes handicap accessibility if selected by the homeowner. She briefly reviewed renderings of home plans, amenity areas including pickleball courts, overview of the overall area, walking trail, sidewalk throughout the community, and trees surrounding the development. She pointed out the large buffer area on Turkey Creek Road that will prohibit direct views into homes. In closing, she expressed appreciation for staff's assistance during multiple meetings and explained that the applicant is amenable to the twenty-five (25) conditions proffered by staff.

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

Mr. James Nicholson, Freedom Land Holdings and Jeff Lindsey Communities, explained that the company has been a local builder for over sixteen (16) years in Coweta County. He further explained that the property is located off Turkey Creek Road and Campus Drive, consists of approximately 105.51± acres with a proposed density of 2.15 units/acre equaling two-hundred five (205) homes. The applicant has a great reputation in the county as a builder and developer, homes will be built similarly to the homes in nearby Seneca Park, and handicap options are available for buyers to select. The applicant changed previous plans to include an outdoor pavilion area, pickleball courts, and connectivity with walking paths and parks. The density was reduced from 2.3 units/acre to 2.15 units/acre, and an LM zoning was added to the adjacent property (Petition # REZ 23-05) for possible restaurants/office space for light industrial and commercial tenants. He provided a brief overview of the current housing market, inadequate supply for the current demand, rising home prices, ages of home buyers in the current market, median home prices, the estimated numbers of houses (over 607) to accommodate 55+ aged buyers in Coweta (based on 2022 sales), and explained that the 55+ market in Georgia is higher than the national average.

Mr. Steve Moore, Moore Bass Consulting and project engineer, presented a short video based on the actual layout of the development that highlighted streetscapes, available architectural styles, floor plans, amenities, and open space areas. The video included the proposed architectural style of the requested LM zoning (Petition # REZ 23-05) on the adjoining property that ties into the residential plan and is modeled after the Brick House development in Senoia. He explained that the applicant also went through the County's transportation impact study process which was performed by Southeast Engineers.

Mr. Jack Daughtry, Turkey Creek Road, Newnan, expressed support for the proposed rezoning but also expressed concerns with pedestrian, bike, and roadway safety.

Chairman Reidelbach called for comments in opposition to the proposed rezoning.

The following citizens spoke in opposition to the proposed rezoning citing the need for managed growth and good planning, applying and following existing rules for density requirements, managing and regulating 55+ only residents (children living with grandparents), increased truck traffic on Turkey Creek Road, high density and small lot sizes, increased traffic, number of cars that will be parked on streets within the development, too much growth-too fast, and the need for service alleys behind homes, and to keep good and healthy environments to live in.

- Mr. Craig Exner, Turkey Creek Road, Newnan
- Mr. Eric Exner, Turkey Creek Road, Newnan
- Mr. Michael Exner, Turkey Creek Road, Newnan

In rebuttal, Ms. Griffis explained that the 55+ community will have covenants, a Homeowners Association (HOA), and will be deed restricted. The applicant went through the traffic study process and specific traffic improvements on Turkey Creek Road are required and vetted by County staff. Typically, there is significantly less traffic with 55+ subdivisions versus non-age targeted subdivisions, the home site plans all have a two (2) bay garage and space in the driveway for another two (2) cars, so there is room for four (4) cars to be parked off the street. She further explained that homes are needed for the growth coming to Coweta County, and the plans will provide additional landscaping, trees, walking trails, and amenities that exceed current requirements for a *RRCC* zoning district.

Chairman Reidelbach called for any additional comments from staff. There were none.

The Board voted to close the Public Hearing regarding Petition # REZ 23-04 filed by Freedom Land Holdings, LLC requesting to rezone 95.51± acres located at 1071 Turkey Creek Road, Newnan (Parcels # 087-2028-015, # 088-2037-001, # 088-2037-003, # 088-2037-004, # 088-2037-005, # 088-2037-006, # 088-2037-007, and # 088-2037-008) from *RC (Rural Conservation)* to *RRCC (Residential Retirement Community and Care Community)*.

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

13981 Public Hearing Regarding Petition # REZ 23-04 Filed by Freedom Land Holdings, LLC Requesting to Rezone Property Located at 1071 Turkey Creek Road, Newnan

The Board voted to deny Petition # REZ 23-04 filed by Freedom Land Holdings, LLC requesting to rezone 95.51± acres located at 1071 Turkey Creek Road, Newnan (Parcels # 087-2028-015, # 088-2037-001, # 088-2037-003, # 088-2037-004, # 088-2037-005, # 088-2037-006, # 088-2037-007, and # 088-2037-008) from *RC (Rural Conservation)* to *RRCC (Residential Retirement Community and Care Community)*.

RESULT:	DENIED [4 TO 1]
MOVER:	Bill McKenzie, District 2
SECONDER:	Paul Poole, District 1 - Vice Chairman
AYES:	John Reidelbach, Paul Poole, Bill McKenzie, Al Smith
NAYS:	Bob Blackburn

6. 13983 Public Hearing Regarding Petition # REZ 23-05 Filed by Freedom Land Holdings, LLC Requesting to Rezone Property Located off Campus Drive, Newnan

Regarding Petition # 23-05 filed by Freedom Land Holdings, LLC requesting to rezone property located off Campus Drive, Newnan [Parcel # 088-2037-001 (partial)] from *RC (Rural Conservation)* to *LM (Light Industrial)*, Ms. Griffis, applicant representative, explained that their contract does not allow them to request *LM (Light Industrial)* zoning for the subject parcel (10.01± acres) if rezoning was denied for the subject property consisting of 95.51± acres (Petition # REZ 23-04). She further explained that County rules require a 7-day notice for an applicant to withdraw a rezoning petition, however, the applicant could not give a notice until a decision was made regarding Petition # REZ 23-04. She requested that the Board consider allowing the applicant to withdraw Petition # REZ 23-05.

Administrator Fouts explained that should the Board decide to continue with the Public Hearing regarding Petition # 23-05, the Public Hearing would have to be opened, closed, and a decision rendered, or the Board could choose to accept the applicant's request to withdraw the *LM (Light Industrial)* rezoning request.

The Board voted to withdraw Petition # REZ 23-05 filed by Freedom Land Holdings, LLC requesting to rezone property located off Campus Drive, Newnan [Parcel # 088-2037-001 (partial)] from *RC (Rural Conservation)* to *LM (Light Industrial)*, as requested by the applicant.

RESULT:	WITHDRAWN BY VOTE [UNANIMOUS]
MOVER:	Al Smith, District 5
SECONDER:	Bill McKenzie, District 2
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

7. Motion To: 13824 : Amendment to Appendix A, Article 9A - RRCC Rural Residential Retirement Community and Care District

Community Development Director Jon Amason explained that at the meeting held on April 18, 2023, the Board voted to instruct staff to investigate elimination of the *Residential Retirement Community and Care District (RRCC)* zoning district, to advertise the necessary Public Hearing, and to present the proposed ordinance amendment to the Board for consideration at a future meeting. Staff is requesting that the Board consider executing an amendment to the *Code of Ordinances* to eliminate the *Residential Retirement Community and Care (RRCC)* zoning district in its entirety.

In response to a question from Chairman Reidelbach, Mr. Amason explained that should the Board vote to eliminate the *Residential Retirement Community and Care District (RRCC)* zoning district, re-adoption of the ordinance can be considered in the future.

Administrator Fouts explained that the "Article 9A" was assigned to the *RRCC* district when it was adopted (November 19, 2013; Ordinance # 35-13) as part of

the *Zoning and Development Ordinance* and should the Board choose to eliminate this zoning district, it can be re-adopted in the future. He further explained that should this zoning district be eliminated and the Board decide to re-adopt it in the future, staff will have recommended changes to the verbiage as it is currently written.

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

Chairman Reidelbach call for any additional comments from staff. There were none.

The Board voted to close the Public Hearing regarding a proposed amendment to *Appendix A. Zoning and Development, Article 9A - RRCC Rural Residential Retirement Community and Care District* of the *Coweta County Code of Ordinances*.

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

13824 Public Hearing Regarding a Proposed Amendment to Appendix A. Zoning and Development, Article 9A. Rural Residential Retirement Community and Care District (RRCC) of the Coweta County Code of Ordinances

The Board voted to execute an amendment to *Appendix A. Zoning and Development, Article 9A. Rural Residential Retirement Community and Care District (RRCC)* of the *Coweta County Code of Ordinances* to delete it in its entirety.

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

8. Motion To: **13944 : Amendment to Chapter 30. Environment, Article II. Soil Erosion, Sedimentation and Pollution Control**

Public Works Director Tod Handley explained that staff from the Georgia Environmental Protection Division (EPD) recently conducted an audit of Coweta County's municipal stormwater program and found that the *Coweta County Code of Ordinances* lacks required language in the *Erosion and Sedimentation Control Ordinance* regarding the management and disposal of waste by site operators at construction sites. Staff is proposing an amendment to the ordinance to add a requirement to satisfy the EPD's desire that the County require dumpsters, port-a-potties, etc. on construction sites to handle those types of waste.

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

Chairman Reidelbach called for any additional comments from staff. There were none.

The Board voted to close the Public Hearing regarding a proposed amendment to *Chapter 30. Environment, Article II. Soil Erosion, Sedimentation and Pollution Control* of the *Coweta County Code of Ordinances*.

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

13944 Public Hearing Regarding a Proposed Amendment to Chapter 30. Environment, Article II. Soil Erosion, Sedimentation and Pollution Control of the Coweta County Code of Ordinances

The Board voted to execute an amendment to *Chapter 30. Environment, Article II. Soil Erosion, Sedimentation and Pollution Control, Section 30-34 Minimum Requirements for Erosion, Sedimentation and Pollution Control Using Best Management Practices* to incorporate language required by the Georgia Department of Environmental Protection (EPD).

RESULT: EXECUTED [UNANIMOUS]
MOVER: Paul Poole, District 1 - Vice Chairman
SECONDER: Bill McKenzie, District 2
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. Peter Elliott, Longwood Lane, Newnan, expressed concerns regarding property reassessments and increases in value and taxes even if the millage rate is reduced. He estimates his property taxes will increase over 19-20% and he is on a fixed income. He asked the Board to consider citizens pocketbooks and to reduce spending or else people will not be able to pay taxes needed to operate the county. In conclusion, he stated that the taxpayer has no control over the digest or the millage rate.

The following citizens expressed concerns regarding Petition # REZ 23-02 filed by Industrial VI Enterprises, LLC requesting to rezone property located off SR 16 and Gordon Road, Newnan (agenda item # 10) citing increased number of residents and traffic over the past 40 years, lack of safety improvements by GDOT, growing danger at the intersection of Gordon Road at Hwy 16, proposed rezoning of property to accommodate 880,000 square feet of industrial warehouses in an historically rural area, decreased residential property values, view of warehouses over buffers, existing property located in Orchard Hills business park with the requested zoning, proposed realignment of Gordon Road at Hwy 16, driving between warehouses, 537 employees and 220 proposed tractor trailer parking spaces, increase of over 8,000 vehicles daily, overall impact of project on residents in the area, loss of rural character, peace and tranquility, and that warehouses are just spec buildings and do not benefit the community.

- Mr. Aubrey Hester, Gordon Road, Newnan
- Mr. Mike Yeager, Martin Mill Road, Moreland

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

9. 14009 Request Acceptance of Additional Right-of-Way Located on East Gordon Road - District 2

Administrator Fouts explained that HMC Development, LLC, has submitted a warranty deed for dedication of additional right-of-way (0.2370± acres) located at 23 East Gordon Road and the County Attorney has reviewed and approved the legal documents prior to submittal to the Board.

The Board voted to accept conveyance of additional right-of-way consisting of 0.2370± acres located at 23 East Gordon Road, Newnan.

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

10. 13994 Public Hearing Regarding Petition # REZ 23-02 Filed by Industrial VI Enterprises, LLC Requesting to Rezone Property Located Off SR 16 and Gordon Road, Newnan

The Board voted to set a Public Hearing on September 7, 2023 at 6:00 p.m. regarding Petition # REZ 23-02 filed by Industrial VI Enterprises, LLC requesting to rezone property located off SR 16 and Gordon Road, Newnan (Parcels # 088-2070-002, # 088-2070-006, # 088-2070-008, and # 088-2070-020).

RESULT: **PUBLIC HEARING SET [UNANIMOUS] Next: 9/7/2023 6:00 PM**
MOVER: Bob Blackburn, District 3
SECONDER: Al Smith, District 5
AYES: Reidelbach, Poole, McKenzie, Blackburn, Smith

UNFINISHED BUSINESS

11. 14013 Request Appointments to Various Boards/Authorities

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

RESULT: **NO ACTION TAKEN**

12. 14035 Request Appointment of ACCG Legislative Voting Delegate for the 2023 Conference Business Session

Chairman Reidelbach explained that at the Commission meeting held on July 25, 2023, the Board voted to appoint him to serve as voting delegate for the Business Section of the ACCG Leadership Conference scheduled on Thursday, October 12th at the Jekyll Island Convention Center in Glynn County. He is unable to attend and Commissioner McKenzie has volunteered to serve as voting delegate at the conference.

The Board voted to appoint Commissioner McKenzie to serve as voting delegate for the Business Session of the ACCG Leadership Conference being held on October 12, 2023.

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

13. 14036 Request Approval/Execution of the FY 2024 Transit 5311 Grant Agreement with the Georgia Department of Transportation

Assistant Administrator Mickle explained that the Georgia Department of Transportation (GDOT) has provided staff with the Fiscal Year 2024 Transit 5311 Grant Agreement. Operating grant funds are provided by the Federal Transit Administration (FTA) through GDOT and require a 50% match. The County has been awarded \$306,684 in 5311 funds with a 50% match of \$306,684 for the period July 1, 2023 - June 30, 2024. Capital funds to replace three (3) transit vans were also requested by the County and GDOT plans to provide separate contracts for such capital requests at a later date.

The Board voted to electronically execute the Fiscal Year 2024 Transit Program Agreement with the Georgia Department of Transportation (GDOT) associated with the Coweta County 5311 Transit Program.

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

14. 14037 Request Approval/Execution of a Project Framework Agreement Associated with Widening and Improvements to Poplar Road - Districts 2 and 5

Administrator Fouts explained that in 2021 the County applied through an Atlanta Regional Commission Transit Improvement Program (ARC/TIP) solicitation for funding to begin the design work for the widening and improvement of Poplar Road from 400 feet west of Newnan Crossing Boulevard to 1,400 feet east of Yeager Road. The funding request was approved, and the Georgia Department of Transportation (GDOT) has provided a Project Framework Agreement (PFA) to assign the responsibilities for the project management and financing. The engineering and design for the project has been estimated at a cost of \$700,000, of which \$560,000 (80%) will be eligible for reimbursement with federal funds. The County will be responsible for a local match of \$140,000 or 20% of the total cost. The total project cost, including the design, right-of-way acquisition, and construction is estimated at \$12,550,000. It is anticipated that the County will apply for further federal or state funding in the future for the project construction which is estimated to cost \$8,100,000. Upon approval of the Project Framework Agreement, staff will prepare the Request for Qualifications (RFQ) to begin the consultant selection process.

In response to questions from Commissioner Poole and Commissioner Smith, Administrator Fouts explained that the total cost for design, right-of-way acquisition and construction is estimated to cost \$12.55 million, the project will begin 400 feet west of Newnan Crossing Boulevard on Poplar Road and run 1,400 feet east of Yeager Road.

Public Works Director Handley explained that the project will be approximately 3/4 mile in length. GDOT will design the project for future capacity, therefore, staff anticipates that Poplar Road will be widened from 2 to 4-lanes with the roundabout most likely being multi-lanes. Construction cost is estimated to be \$8 million and staff will follow state and federal plan development processes with the preliminary schedule to begin construction in 2030.

The Board voted to electronically execute a Project Framework Agreement (PFA) and supporting documentation with the Georgia Department of Transportation (GDOT) associated with the preliminary engineering phase of the Poplar Road widening and improvement project.

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

15. 14018 Request Approval/Execution of an Intergovernmental Agreement with the City of Palmetto Associated with Construction of a Left Turn Lane at Collinsworth Road and Weldon Road - District 4

Administrator Fouts explained that staff received a request from the City of Palmetto for assistance associated with construction of a dedicated left turn lane and modification of the existing traffic signal at the intersection of Collinsworth and Weldon Roads. As part of the proposed Intergovernmental Agreement (IGA), the County will provide the necessary labor, supervision, project management, and equipment to complete the project, including any contractors. The City will reimburse the County for the cost of all materials and contractors used to complete the project (\$17,295).

The Board voted to execute an Intergovernmental Agreement (IGA) with the City of Palmetto associated with construction of a left turn lane at the intersection of Collinsworth Road and Weldon Road.

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

16. 14008 Request Approval/Execution of an Agreement Associated with Prosecution Services for Juvenile Court

Administrator Fouts explained that in accordance with state law, the District Attorney (DA) is responsible for representing the state in the prosecution of cases in Juvenile Court unless the District Attorney determines that his or her office cannot provide representation as a result of workload, personnel, or other cause. Since 2013, the DA of the Coweta County Judicial Circuit has notified the County of his determination that his office cannot provide prosecution services for the state in Coweta County Juvenile Court because of a lack of sufficient personnel and limited resources. Pursuant to the law, the County may appoint a Juvenile Prosecutor to perform Juvenile Court prosecution services. In 2016, the County executed an agreement with Nathaniel L. Smith, P.C. to provide Juvenile Court prosecution services on an annual basis. Following Mr. Smith's appointment as the Chief Magistrate Judge for Carroll County, the County executed an agreement with attorney David Taylor (Taylor & Strickland, LLC) to provide Juvenile Court prosecution services through the balance of fiscal year 2023. Staff recently met with Mr. Taylor to discuss his desire to continue providing Juvenile Court prosecution services. Mr. Taylor has agreed to continue for an additional one (1) year term (October 1, 2023 through September 30, 2024) with one 12-month renewal option (October 1, 2024 through September 30, 2025). As proposed, either party may terminate the agreement with ninety (90) days written notice. The agreement stipulates that the County shall compensate the Juvenile Prosecutor the sum of \$7,500 per month for the initial term, and \$8,667.00 per month for the renewal term.

The Board voted to execute an agreement with David Taylor (Taylor & Strickland, LLC) to provide prosecution services for the Coweta County Juvenile Court for the term beginning October 1, 2023 and expiring September 30, 2024.

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

17. 14028 Request Approval/Execution of Change Order # 1 with Headley Construction Associated with the Canongate Community Center Project - District 4

Administrator Fouts explained that staff is in receipt of Change Order # 1 with Headley Construction totaling \$188,651.97 associated with construction of a stand-alone bathroom, foundation for a future pavilion, and associated flatwork (sidewalks and connecting curb cuts) for the Canongate Community Center project.

Administrator Fouts fielded questions from the Board regarding costs, details, and architect of record. He also explained that the pavilion will be constructed by County forces at a later time. Lastly, he explained that the intent for pouring only the foundation for the future pavilion is to prevent disturbance of sitework/ground in the future and to allow for completion of the pavilion when funding has been secured.

Public Works Director Handley explained that crews are currently landscaping the project and staff is requesting to pour the pavilion foundation so that landscaping will not be disturbed in the future.

In response to a question from Chairman Reidelbach, Administrator Fouts explained that the bathrooms (3) will cost \$148,307, the pavilion slab will cost \$13,984, and the flatwork will cost \$6,300.

The Board voted to execute Change Order # 1 with Headley Construction in the amount \$188,651.97 associated with the Canongate Community Center project.

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

18. 14015 Bid Award Associated with Enforcement of Ordinance Regulating Rank Plant Growth and Trash Accumulation for Property Located at 1217 Standing Rock Road, Senoia - District 1

The Board voted to retain JWALL Lawn Care LLC to perform cleanup of property located at 1217 Standing Rock Road, Senoia (Parcel # 156-1216-001) at a total cost of \$2,300.00 and to place a lien on said property, should it become necessary, to recoup associated costs for said services.

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

19. 14017 Bid Award Associated with Enforcement of Ordinance Regulating Rank Plant Growth and Trash Accumulation for Property Located at 223 Donald Lamb Road, Moreland - District 2

The Board vote to retain Remedy Home Solutions LLC to perform cleanup of property located at 223 Donald Lamb Road, Moreland (Parcel # 091-2219-024) at a total cost of \$1,950.00 and to place a lien on said property, should it become necessary,

to recoup associated costs for said services.

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

20. 14016 Bid Award Associated with Enforcement of Ordinance Regulating Rank Plant Growth and Trash Accumulation for Property Located at 55 Summerhill Place Newnan - District 2

The Board voted to retain JWALL Lawn Care LLC to perform cleanup of property located at 55 Summerhill Place, Newnan (Parcel #072A-134) at a total cost of \$1,500.00 and to place a lien on said property, should it become necessary, to recoup associated costs for said services.

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

Additional Action Items

21. 14012 Request Approval to Partner with the Georgia Department of Transportation to Fund an Intersection Improvement Project at US 29 and Country Club Road and Magnolia Drive - District 3

Public Works Director Handley explained that in response to a request from the County for the Georgia Department of Transportation (GDOT) to investigate options for an intersection improvement project at US 29 and Country Club Road/Magnolia Drive, the GDOT Thomaston District office has contacted staff with their findings and inquired whether the County might be interested in a partnership to fund the project. The project will consist of a mini-roundabout similar in size to ones currently in place at Hal Jones and Greentop Road and closure of the intersection of Old Atlanta Hwy and US 29. Traffic that currently utilizes Old Atlanta Hwy to access US 29 will be diverted to the new mini-roundabout. GDOT will consider funding a portion of the project through the GDOT Safety Initiative and has requested a letter of support from the County and a commitment to fund a portion of the project (up to \$917,000) that will be included in the project application for the safety funds.

Commissioner Blackburn explained that the intersection improvement project will greatly increase safety for the traveling public.

The Board voted to submit a letter of support and commitment of funding up to \$917,000 (SPLOST) to the Georgia Department of Transportation (GDOT) for an intersection improvement project at US 29, Country Club Road and Magnolia Drive.

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

22. 14030 Request Approval to Utilize Various County Roads During the Unity Riders Bike Ride

The Board voted to approve a request from Unity Riders to utilize the Coweta County Fairgrounds and various County roads to host a bike ride on Saturday, October 7, 2023 from 8:00 a.m. until 1:00 p.m.

Chairman Reidelbach explained that participants must follow the rules of the road.

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

23. 14029 Request to Set the 2023 Millage Rates

The Board voted to set the 2023 millage rates as follows and to authorize the Chairman to execute a resolution, certification of documents, and a letter for submittal to the Georgia Department of Revenue regarding the establishment of the 2023 millage rates:

- | | |
|---|------------|
| • Incorporated M&O | 4.688 Mils |
| • Unincorporated M&O | 4.688 Mils |
| • Fire District 2 - Operations and Capital | 2.900 Mils |
| • Fire District 2 - Debt Service | 0.216 Mils |
| • Haralson Special Service District II - Operations | 2.900 Mils |
| • Haralson Special Service District II - Debt Service | 0.216 Mils |
| • School District | 15.41 Mils |

Chairman Reidelbach explained that the County is taking a full rollback which means that any appreciation experienced on property values should result in a net zero effect on the County portion of taxes. The tax levy for the maintenance and operation of education is approved through the Board of Commissioners, but in this activity the Board of Commissioners has no discretion; its action is ministerial. The amount of the levy is determined by the Board of Education, which voted to partially rollback the School District millage rate. Their levy will result in an tax increase on their portion of the tax bill. He explained that the County did an outstanding job on rolling their portion of the millage rates back during tough times that citizens are experiencing.

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

SUPPLEMENTAL/NON-AGENDA ITEMS

24. 14044 Request Approval to Appeal the 2022 Sales Ratio Study

Chairman Reidelbach introduced Mr. Dean Henson, Chief Appraiser for Coweta County and Mr. Mike Marchese, Chairman of the Coweta County Board of Assessors (BOA).

Mr. Henson explained that the Board of Assessors is requesting that the Board of Commissioners (governing authority) appeal the decision of the 2022 Sales Ratio Study performed by the Georgia Department of Audits and Accounts (GDAA). Georgia law charges the Assessor's Office with property appraisal on a valuation date of January 1st by using sales that occurred during the previous year. To determine property valuation in 2022, the Assessor's Office utilized 2021 sales data and compiled a sales ratio study of 38.01% after all appeals were processed, which was approved by the Board of Assessors. The GDAA utilized 2022 sales data to

determine the 2022 valuation and compiled a sales ratio study of 35.46% (which is out of line with State Law). Georgia law requires that the sales ratio study fall between 36%-44%. In accordance with O.G.C.A. 48-5-274(f)(1), only a governing authority has the right to contest the correctness of the study, the BOA is requesting that the Board of Commissioners (governing authority) file a written appeal and appoint the BOA to act as their representative. The appeal will give the BOA an opportunity to meet with the GDAA and review changes that were made as a means to move the sales ratio study into line with the statute.

In response to a question from Chairman Reidelbach, Mr. Henson explained that in a real estate market that is changing 15-20% a year, meeting the State's ratio of 36-44% is unattainable.

Mr. Marchese, explained that the sales ratio study that the BOA approved was 38.01% and unless assessment notices are sent at the upper end of the allowable ratio (44%), which is very aggressive, then the sales ratio study could never meet the State's statute in this real estate market.

Chairman Reidelbach explained that at a recent meeting, Commissioners from other counties expressed that they are experiencing the same issue because of the real estate market and the difference in which year the GDAA pulls sales data from.

In response to a question from Chairman Reidelbach, Mr. Henson explained that Paulding County filed an appeal, went through the audit with the GDAA, and was able to compile a new sales ratio study that was in line with the statute.

The Board voted to file a written appeal of the 2022 Sales Ratio Study and to appoint the Board of Assessors to act as their representative.

Chairman Reidelbach expressed appreciation to Mr. Henson and Mr. Marchese for their hard work.

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

The following individuals addressed the Board regarding their beliefs that the current voting machines (ballot marking devices) are vulnerable, the need to switch to paper ballots at the precinct level, potential costs from another round of COVID, current high interest rates, voting for another SPLOST, current economy, the need for hand-marked ballot calculators, issues with third-party voting systems, the need for transparency and accountability, lack of voter confidence, an unfair election process, dishonesty, and legality. The group requested that the Board place paper ballots on the agenda to review/discuss and to meet the timeline for primaries in March 2024.

- Ms. Linda Menk, Avondale Circle, Newnan
- Mr. Mike Nixon, Long Market, Sharpsburg
- Mr. Sean Miller, Freeman Forest Drive, Newnan
- Ms. Jasmine Meehan, Quig Youngs Road, Moreland
- Mr. Maxwell Britton, Marion Beavers Road, Sharpsburg

Mr. Christopher Campbell, Genesee Point, Newnan, addressed the Board requesting to meet with them to discuss

lack of enforcement of County ordinances and how resulting damages can be corrected/repared. He pointed out that Commissioners will communicate with builders at Commission meetings but will not respond to his issues with a builder or that County inspectors are passing inspections with known issues (and County staff are aware that they are doing so). He explained that Administrator Fouts told him that there is nothing further the Board can do to help those harmed even though he presented photo evidence. He asked how the Board plans to rectify issues that the builder will not correct.

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

Motion To: **Enter Into Executive Session**

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

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 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:	John Reidelbach, District 4 - Chairman
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:	John Reidelbach, District 4 - Chairman
SECONDER:	Bill McKenzie, District 2
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith