

**HARRIS COUNTY BOARD OF COMMISSIONERS**  
**REGULAR SESSION**

August 3, 2021  
6:30 P.M.

Commissioners Present: Andrew Zuerner, Susan Andrews, Rob Grant, Bobby Irions, Becky Langston. Staff Present: Randy Dowling, County Manager; Nancy D. McMichael, County Clerk. Staff Present by Phone: Russell Britt, County Attorney.

1. **CALL TO ORDER.** Chairman Zuerner called the Regular Session to order.
2. **PLEDGE OF ALLEGIANCE.** Chairman Zuerner led those in attendance in the Pledge of Allegiance.
3. **MINUTES.** The motion to approve the minutes of the July 20, 2021 Regular Session, the July 20, 2021 Work Session, and the July 15, 2021 Joint UDC Meeting was made by Commissioner Langston, seconded by Chairman Zuerner, and passed unanimously.
4. **APPEARANCE OF CITIZENS**
  - A. **Glynda Benham: ARP Funds for Broadband.** Glynda Benham, who lives in Piedmont Subdivision, appeared before the Board to request the Board commit some of the ARP funds to help provide high speed internet, particularly in the Piedmont Subdivision, and enter into a partnership to help provide such coverage. She also said that the Piedmont HOA had contacted numerous providers about coverage and are awaiting responses.
5. **NEW BUSINESS**
  - A. **Resolution to Accept Sweetwater Drive & Red Fox Court in Coca Lake Subdivision.** Chairman Zuerner said that all required documents to accept the two roads have been submitted in accordance with County regulations. The motion to approve the Resolution to accept the two roads was made by Commissioner Irions, seconded by Commissioner Langston, and passed unanimously.
  - B. **Financial Statement: May 2021.** The motion to approve the May 2021 financial statement was made by Commissioner Grant, seconded by Chairman Zuerner, and passed unanimously.
  - C. **Request for Tax Refund.** Chairman Zuerner said that a request for tax refund in the amount of \$45.33 had been received from James Eldridge for the reason that he mistakenly paid for trailer tag in error as he no longer owns the trailer; that both the Tax Commissioner and the Board of Assessors agree with the request. The motion to refund the \$45.33 was made by Commissioner Langston, seconded by Commissioner Grant, and passed unanimously.
  - D. **Safety Discounts for Property & Liability and Workers Compensation Insurance.** Chairman Zuerner said that these are the usual documents necessary for the County to receive a discount on its property & liability and workers' compensation insurance. The motion to approve both documents was made by Commissioner Grant, seconded by Chairman Zuerner, and passed unanimously.
  - E. **Appointments/Reappointments: Various Boards, Committees Authorities.** Chairman Zuerner said several appointments/reappointments are needed for vacancies that currently exist or will be occurring. There was discussion regarding various vacancies, to include that Commissioner Grant said he had someone in mind to complete the term of Phoebe Dawson on the Family & Children Services board, and Commissioner Andrews said that she would soon have the name of an individual to complete the term of Chris Lintner on the Planning Commission. Upon a motion by Commissioner Grant, seconded by Chairman Zuerner, and passed unanimously, the following appointments and reappointments were made.
    - (1) **Airport Committee.** Lynda Dawson (at large) reappointed to a new term ending 06/30/2025.
    - (2) **Construction Board of Adjustments/Appeals.** Chris Butzon reappointed to a new term ending 06/30/2025.

- (3) Family & Children Services. Mary Ann Check reappointed to a new term ending 06/30/2024. (An appointment is needed to fill the position left vacant by the resignation of Phoebe Dawson, whose term expires 06/30/2025.)
- (4) Mental Health - Region 6 Behavioral Health & Development Disabilities. Starla Lewis DeSaussure reappointed to a new term ending 06/30/2024.
- (5) Planning Commission. (An appointment is needed to complete the position left vacant by the resignation of Chris Lintner, whose term expires 12/31/2024.)
- (6) Public Improvements Authority. Randy Dowling and Rob Grant reappointed to new terms ending 06/30/2024.
- (7) Water Bill Assistance. Steve Morgan reappointed to new term ending 05/31/2024.
- (8) Zoning Adjustments, Board of. Chris Butzon (District 4) and Lora Taft (District 5) reappointed to new terms ending 09/30/2024.

F. **Resolution: Extend Moratorium on Planned Unit Developments**. Russell Britt, County Attorney, said that the current moratorium to bar the acceptance of rezoning applications for Planned Unit Developments (PUD) will expire September 7; that the County is continuing its major revision/rewrite of the Land Use Codes, to include the zoning ordinance and the moratorium should be extended until midnight on December 7, 2021, or until the completion and adoption of the land use codes, whichever occurs first, or earlier if lifted by action of the Board. Following discussion, the motion to approve the Resolution to extend the temporary moratorium on PUDs was made by Commissioner Irions, seconded by Chairman Zuerner, and passed unanimously.

G. **Intergovernmental Agreements with Hamilton and Shiloh Regarding Vehicle Maintenance Services**. Chairman Zuerner said that these agreements are with the City of Hamilton and the City of Shiloh for maintenance on their vehicles; that the rates for the services by the County's Vehicle Maintenance Department have not changed; and that the agreement will be effective from execution to June 30, 2022. The motion to approve these agreements was made by Commissioner Langston, seconded by Commissioner Grant, and passed unanimously. [Documents can be found in "Contracts & Agreements" file as C&A #21-11 (Hamilton) and C&A #21-12 (Shiloh).]

## 6. **COUNTY MANAGER**

A. **Project Updates**. Randy Dowling, County Manager, reviewed various projects, as follows:

- (1) UDC/Land Use Codes. On going; application should be filed by September 20, first reading on October 20, and second reading on November 2 to be effective November 16..
- (2) Prison Roof Replacement. Bid specs are being prepared.
- (3) Vehicles for Community Development, Public Works, Recreation & Vehicle Maintenance. Six trucks and one van have been ordered, with the estimated delivery date of June 2022.
- (4) Man O'War Railroad Recreation Trail, Phase IV (aka Rails to Trails). Project is ongoing but bridge rehabilitation is taking longer than anticipated.
- (5) Man O'War Railroad Recreation Trail, Phase V (aka Rails to Trails). This 5.4 mile project should begin any time now and should be completed in about 18 months.
- (6) Airport Five-Year CIP Update. To be discussed during the Airport Committee meeting this month and brought to the Board for approval soon after.
- (7) Courthouse Renovations, Phase I. Project underway and should be completed by November and entire project completed in June 2022.
- (8) Capital Projects Using Federal ARP Funds. Awaiting official Board approval of the list of projects.

- (9) County Records Storage in Carver Resource Center. The IGA should be on the next Board of Education's agenda after which it will come to the Board for approval. In response to question from Commissioner Langston, Mr. Dowling said that originally the building space was to be used for records storage but the Elections office requested to move their operations to the building.
- (10) T-SPLOST Continuation Referendum. The County is working with the RVRC on the upcoming referendum to continue the T-SPLOST in this region. Commissioner Grant commented that he had met with Jim Livingston, with the RVRC, recently to discuss this issue.
- (11) SPLOST. Collections are on par.
- (12) LOST. Collections are on par.
- (13) T-SPLOST. Collections are on par.
- (14) Single Family Home Permits. Issued 239 for the last fiscal year, 236 the year before, and 24 in July.

7. **PUBLIC HEARING @ 7:00 PM**

- A. **Conflict of Interest**. The Conflict of Interest forms were completed at the request of Chairman Zuerner.
- B. **Explanation of Public Hearing Procedures**. Chairman Zuerner explained the procedures for the scheduled Public Hearing.
- C. **Application of Kiersten Lurer (PM&A) for Verizon Wireless for a Special Use Permit for a Wireless Tower as an ancillary use on a 100' x 100' compound on 231.9 acres of property located on Map 042, Parcel 070, Land Lot 121, Land District 20, on the east side of Grantham Road approximately 1,035' south of GA Highway 116, Hamilton, and zoned A-1 (Agricultural & Forestry)**. Chairman Zuerner called the Public Hearing to order, read the specifics of the application and said that the Planning Commission had recommended approval with conditions of (1) no lights on the tower; (2) power going to tower is to be underground; and (3) tower is limited to the 100' x 100' compound on the property. Kiersten Lurer, applicant for Verizon, appeared before the Board and said that the tower will be self-supporting, 215' tall with a 10' lighting rod, and provide needed coverage along GA Highway 116; that the current coverage is limited to vehicle and outside areas with indoor areas marginal; and that it will provide capacity relief to the existing Verizon towers to the east and south; that there will be monthly maintenance visits so there will be little traffic; that there will not be a need for services, other than electricity; and that it meets or exceeds all county requirements. Ms. Lurer responded to various questions from the Board to include that the nearest tower is 3.73 miles away; that while Verizon issues "search rings" for properties, she can't speak to the exact process; and that the topography and trees play a role in coverage. Discussion included that the tower would perhaps be better located in an area that would serve the most citizens.

There being no further comments or questions, Chairman Zuerner asked if anyone wished to speak in favor of the application.

Ken Callaway, citizen who lives on GA Highway 116, appeared before the Board and said that topography plays a big part in cell coverage; that coverage is spotty at his home; that his business suffers from lack of coverage because his machines have to communicate with the factory; and that he understands the tranquility, but when tech meets rural life, things get tough.

Lillie Williams, citizen who lives on GA Hwy 116, appeared before the Board and said that she works from home; that it's hard to get a signal in some areas of her home; and that the trees and mountains make it difficult.

Julie Arsenaut, citizen who lives in Big Sky, appeared before the Board and said that they do not have good internet and rely on Verizon's signal for everything; that to get a good signal they often have to travel to the Library and sit in the parking lot to use its signal; that lack of internet and cell coverage can have an effect of people purchasing homes in the County; and that she would appreciate approval to ensure they have this needed utility.

Reba Lanczy, citizen who lives in Big Sky, appeared before the Board and said that they have to go to the Library parking lot in order to get a good signal; that people work from home and need better service; and that they get no signal at all when school is in session.

Mike Frank, citizen who lives in Big Sky, appeared before the Board and said that having the tower would be an advantage in selling homes; that cell coverage is more important than ever; that it's difficult to work from home and participate in meetings via internet/cell; that the tower would be just under two miles from his home and would provide better coverage.

Phyllis Johnson, citizen who lives in Big Sky, appeared before the Board and said that she agrees with what has been said and that having internet is essential for children to do homework.

Paul Mongillo, citizen who lives on Oliver Road, appeared before the Board and said that he is in favor of broadband but isn't sure how it would affect where he lives; that he has installed a booster tower for better service; and that broadband is part of everyone's lifestyle now.

There being no further comments in favor, Chairman Zuerner asked if anyone wished to speak in opposition to the application.

Phaedra Childers, citizen who lives on Grantham Road, appeared before the Board and said that the tower would be .20 of a mile from her door and the driveway 43' from her driveway. She submitted and reviewed documents to include that EMCs can provide services or leverage infrastructure to aid deployment of broadband; that Diverse Power has filed documents in conjunction with its purchase of South Georgia Regional Information Technology Authority, which provides internet service to rural areas; and that Starlight is to begin providing service in mid to late 2021. She said that a needs assessment should be required from Verizon and requested that the Board support the opposition to the tower. (Documents submitted can be found in "Miscellaneous Documents" file as MD #21-11.)

David Childers, citizen who lives on Grantham Road, appeared before the Board and submitted and reviewed documents regarding the proximity of his home to the proposed tower site and asked how many people would benefit from the tower, which in his estimation would be about 26 homes; that the citizen on Grantham Road do not want the tower; and that there are other location options that will not scar the rural elegance of the area. (Documents submitted can be found in "Miscellaneous Documents" file as MD #21-12.)

David Farmer, citizen who lives on Grantham Road, appeared before the Board and said that any earth work for the tower will affect the spring fed creek that is on his property, and that he is opposed to the tower.

Justin Knox, citizen who lives on Lower Blue Springs Road, appeared before the Board and submitted and reviewed a document regarding the lack of inclusion in the Comprehensive Plan of cell towers; and that action on this issue should be tabled until a master plan indicating future locations of cell towers is brought forth, so that citizens can make informed decisions on purchasing property with light or visual pollution; and that engineers should be available to answer questions regarding the cell tower. (Document submitted can be found in "Miscellaneous Documents" file as MD #21-13.)

Keith Cullifer, citizen who lives on Lower Blue Springs Road, appeared before the Board and said that he sympathizes with those who live in Big Sky; that he moved to the County for the serenity, beauty, integrity, wildlife, and reputation of the County; that he ran from corporate life when he had the opportunity; that he understands from Diverse Power that broadband is on the way; that there has to be a meeting of the minds to resolve the problem with broadband; and that he is opposed to the cell tower.

Bruce Meredith, who lives in LaGrange but owns property on GA Highway 116, appeared before the Board and said that he is neither for or against the application; that he sees both sides of the issue; and that it would probably benefit people, he sympathizes with those against it.

There being no further comments in opposition, Chairman Zuerner asked Ms. Lurer for rebuttal.

In rebuttal, Ms. Lurer said that the tower is 1,035 feet south of GA Highway 116 and 1,096 feet east of the Childers property; that there are no existing towers in the search ring; that the object is to meet the demands of people for better coverage; that the application meets all the requirements of the County's regulations; and that Verizon is trying to provide seamless coverage and connectivity through the site.

In response to questions from the Board, Ms. Lurer said that the FCC is who determines whether or not lights are required on a tower depending on location and height; and that lowering the height might affect coverage, but she does not have that information.

Discussion included that in light of the Planning Commission's recommended conditions, more data may be needed in order for the Board to make the proper decision; that everyone should have internet access; that the decision should be tabled; that there are other locations that may provide coverage to a higher population of citizens; and that the number of citizen who would benefit from the tower is needed. Commissioner Langston said that there comes a point when a decision has to be made regarding allowing cell towers or not; that there seems to be cross purposes; that there will be a summit next week on broadband to which she and the other Board members have been invited, during which time providers of broadband will be speaking; and that sometimes the rubber needs to meet the road in making decisions. Following discussion, consensus was for Verizon to provide more data and information to include engineering data, how many citizens would benefit from the tower, the height of the tower without lights, and when the tower would be operational.

There being no further discussion or comments, chairman Zuerner closed the Public Hearing and asked for a motion.

The motion to table the decision on this Special Use Permit application until September 21 in order for the data and information as discussed to be submitted and presented, was made by Commission Andrews, seconded by Commissioner Irions, and passed unanimously.

8. **ADJOURNMENT.** There being no further business to discuss, the motion to adjourn was made by Commissioner Irions, seconded by Commissioner Andrews, and passed unanimously.

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Andrew Zuerner, Chairman

Attest:

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Nancy D. McMichael, County Clerk