

**HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION**

March 6, 2018
7:00 P.M.

Commissioners Present: J. Harry Lange, Susan Andrews, Martha Chewning, Becky Langston.
Commissioner Absent: Jim Woods. Staff Present: Randy Dowling, County Manager; John Taylor, County Attorney; Nancy D. McMichael, County Clerk.

1. **CALL TO ORDER.** Chairman Lange called the Regular Session to order.
2. **PLEDGE OF ALLEGIANCE.** At the request of Chairman Lange, Randy Dowling, County Manager, led those in attendance in the Pledge of Allegiance.
3. **MINUTES.** The motion to approve the minutes of the February 20, 2018, Regular Session and of the February 23, 2018, Planning Session was made by Commissioner Chewning, seconded by Commissioner Andrews, and passed unanimously.
4. **NEW BUSINESS**
 - A. **Personnel Request: Extension Service and Budget Amendment #15.** Steve Morgan, Extension Service Director, appeared before the Board to request changing his part-time County-paid Program Assistant to full-time due to the workload related to providing 4-H programs to sixth grade school children, and the lack of time in which to properly perform those duties. Discussion included that increasing the hours and increasing the salary from \$9.69/hour to \$10.00/hour will result in a budget amendment of \$2,100 from April 1 to June 30, 2018. Following discussion, the motion to approve changing the part-time Program Assistant position to full-time effective April 1 with an increase in salary from \$9.69/hour to \$10.00/hour, which will result in a budget amendment (#15) in the amount of \$2,100, was made by Commissioner Andrews, seconded by Commissioner Langston, and passed unanimously.
 - B. **Personnel Request: Public Works.** Randy Dowling, County Manager, said that there is a need to change the method of right of way mowing and to accomplish that, it is proposed that the four part-time mowing positions be changed to full-time, effective March 19, and that the salary increases from \$9.50/hour to \$12.17/hour. Mike Brown, Public Works Director, appeared before the Board and said that the current method of mowing the rights of way is not working; that changing the positions from part-time to full-time should improve the ability to keep mower drivers on staff; that during the non-growing season, the employees could help with other road related work to include trimming trees, installing signs, patching potholes, etc.; that eventually, he sees the need to have two additional full-time positions, but at this time, four full-time mower operators should help the County stay on course with right of way mowing about three times a year county-wide. Following discussion, which included that no budget amendment is needed as there are sufficient funds in the Public Works budget, the motion to approve changing the four part-time mower positions to full-time with an increase from \$9.50/hour to \$12.17/hour (Grade 10), effective March 19, was made by Commissioner Chewning, seconded by Commissioner Langston, and passed unanimously.
 - C. **First Reading: Application of Anita D. Patel for Beer & Wine Off Premises at Country Market located at 6017 GA Highway 315, Cataula.** Chairman Lange said that this was the First Reading for this application, which has been recommended for approval by the Sheriff's Office and Community Development, and by the Health Department pending issuance of a food permit. Anita D. Patel, applicant, appeared before the Board but had no comments regarding the application. Commissioner Chewning requested that the responses to questions 9, 12 and 14 be completed. There being no further comments or questions, Chairman Lange asked if anyone wished to speak in favor of or in opposition to this application. There being none, he said the Second Reading will be on March 20.
 - D. **First Reading: Ordinance to Amend Ordinance Regarding Offenses and Miscellaneous Provisions.** Chairman Lange said that this ordinance would amend Article I of Chapter 9 of the Code of Ordinance and asked John Taylor, County Attorney, to review the proposed ordinance. Mr. Taylor said that this ordinance would allow the offenses of disorderly conduct, public drunkenness, loitering and prowling, and trespassing to be adjudicated in Magistrate Court; that

each day the violation occurs would be considered separate offenses; and that it will be enforced by the Code Enforcement Officer, who can issue citations, or Sheriff's deputies, who can make arrests. Chairman Lange said that the Second Reading will be on March 20.

5. **COUNTY MANAGER**

- A. **Bid Award: Hamilton Business Park Water Oak Way Extension.** Randy Dowling, County Manager, said that bids had been requested for the improvement of Water Oak Way in Hamilton Business Park, for the extension of same for another 900 to 1,000 feet, for GDOT required turning lane on SR 116, and for the installation of water lines and conduit for fiber optics. He said two bids were received on February 20, as follows:

Company	Base Bid	Water Line & Conduit
Alexander Contracting, Fortson, GA	\$ 398,055.81	\$ 53,812.20
McLeRoy, Inc., Zebulon, GA	\$ 573,786.25	\$ 65,400.00

Mr. Dowling said that Harris Gray, engineers, has evaluated the bids and recommends the award be made to Alexander Contracting for \$398,055.81; that the County Water Works can install the water lines and conduit for approximately \$25,000; that funding will be \$200,000 from SPLOST 2014, \$100,000 from GDOT Economic Development Grant, \$98,055.81 from SPLOST 2014, and \$25,000 from Water Works, for a total project cost of \$423,055.81. Following discussion, the motion to award the bid to Alexander Contracting for \$398,055.81, for Water Works to install the water line and conduit for fiber optics, and to authorize the County Manager and County Clerk to execute the necessary documents for the project was made by Commissioner Chewning, seconded by Commissioner Andrews, and passed unanimously. (Documents can be found in "Contracts & Agreements" file as C&A #18-07A.)

6. **PUBLIC HEARINGS at 7:30 PM**

- A. **Conflict of Interest Forms.** The Conflict of Interest forms were completed at the request of Chairman Lange.
- B. **Explanation of Public Hearings.** Chairman Lange explained the procedures involved for the Public Hearings.
- C. **Application of Elizabeth Blume for Special Use Permit on 7.89 acres for a Dog Training Center and Park on Map 052, Parcel 101, Land Lots 41 & 63, Land District 3; current use residence and farm; proposed use dog training center and park; property located at 15515 GA Highway 18, Pine Mountain, and zoned A-1 (Agricultural & Forestry).** Chairman Lange called the Public Hearing to order, read the specifics of the application, and said that it had been recommended for approval by the Planning Commission with a limit of 50 dogs at any one time and approval by Staff. Elizabeth Blume, applicant, appeared before the Board and said that she opened a dog training center and park five years ago on leased property; that she has now purchased property and wants to relocate her business to the new property; that she holds AKC and UKC trials for which there may be 30 to 40 people in attendance with dogs kenneled when they are not performing; and that she only trains performance dogs, not protection dogs. Chairman Lange asked if anyone wished to speak in favor of this SUP application.

Terry Dise, citizen who lives on Old Salem Trail in Pine Mountain, appeared before the Board and said that she takes her dog to the dog park five days week; that her dog has benefitted from the training program; that this is good for the community and she would like to see the program continue.

Jane Bradley, who lives in Griffin, appeared before the Board and said that people from "all over" come to the center and park; that it is beneficial to people and dogs; and that it is a great park.

There being no further comments in favor, Chairman Lange asked if anyone wished to speak in opposition. There were none.

Ms. Blume, in response to questions from the Board, said her facility will not be a dog kennel; that dogs will not remain on her property when the owners are away so when people come to the dog trials and want lunch, they usually kennel their dogs

in their vehicles; that while the 50 dog limit recommended by the Planning Commission is good, a limit of 60 would be better as that is the limit for trials. There being no further comments or questions, Chairman Lange closed the Public Hearing and asked for a motion.

The motion to approve this Special Use Permit with a limit of 60 dogs at any one time and no training of protection dogs was made by Commissioner Andrews, seconded by Commissioner Chewing, and passed unanimously.

D. **Application of Joey M. Loudermilk for Special Use Permit on 254.29 acres for Educational Farm Tours, Farmers Market and Farm Dinners on Map 080, Parcel 001, Land Lots 195, 222, 226 & 227, Land District 18; current use agricultural and farm; proposed use educational farm tours, farmers market and farm dinners; property located at 150 Mayo Road, Ellerslie, and zoned A-1 (Agricultural & Forestry).** Chairman Lange called the Public Hearing to order, read the specifics of the application, and said that it had been recommended for approval by the Planning Commission with the condition that any event ends by 9:00 PM and approval by Staff. Joey M. Loudermilk, applicant, introduced Daniel Hord, his son-in-law and the general manager of Turntime Farms, appeared before the Board. Mr. Loudermilk said that Mr. Hord would explain the request and respond to questions. Mr. Hord said that they have been providing farm tours since June 2016 as well as a farmers market not realizing they were in violation of the Zoning Ordinance; that this Special Use Permit application is to conform with the County regulations for educational farm tours, a farmers market and farm dinners; that in the farmers market they will sell products raised on the farm as well as other local products; and that they have not yet hosted a farm dinner but may do so in the future. In response to questions, Mr. Hord said the farmers market is open one day for about four hours and then by appointment, that it will not be a commercial retail venture.

There being no further comments, Chairman Lange asked if anyone wished to speak in favor of this Special Use Permit application.

Wayne Means, citizen who lives on Allen Lake Road in Ellerslie, appeared before the Board and said that his property abuts that of the subject property; that his family enjoys visiting the farm; that it is a clean operation with the trash always picked up and the area mowed; that it is beneficial to the area; and he has no objections to the application.

Martha Diamond, citizen who lives on Mayo Road, appeared before the Board and said that she moved to Harris County to be in a rural area; that when the subject property was for sale, she was concerned about the possibility of it being purchased by a developer; that when it was purchased by the Loudermilk family and she saw what they were doing, she was pleased and has nothing but good things to say about the property and what they offer to the community.

Calvin Cole, citizen who lives on Mayo Road, appeared before the Board and said that he lives across the road from the property; that he thinks what they are doing is great; that children love to visit and see the animals; that they are great neighbors; and that it's a good thing to have in the community.

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

Susan and Kenneth Jones, citizens who live on Mayo Road, appeared before the Board. Mrs. Jones distributed photos of their lake from November 2005 to March 2017 as well as climate ranking reports. She explained the photos; said that their lake has experienced sedimentation runoff from the subject property; and concluded by saying they are not in favor of the application. Mr. Jones said they don't want the sedimentation to continue.

There being no further comments in opposition, Chairman Lange asked Mr. Hord for rebuttal.

In response to questions from the Board, Mr. Hord said that the property was not purchased until 2013; that the property had been clear cut in 2007 but left as a "wasteland"; that there were two days of heavy rain resulting in five inches in 2013, which resulted in more runoff; that the EPD and NRCS have visited the property, and found everything to be in compliance; that they claim partial responsibility for the

sedimentation runoff, but do not take full responsibility; that silt fences have been in place; that the land is now established as pasture; that most of the sedimentation happened five years ago; that no event will go beyond 9:00 PM; and that the animals will develop the land since they are a “no till” farm.

There being no further comments or questions, Chairman Lange closed the Public Hearing and asked for a motion.

The motion to approve this Special Use Permit application with the condition that any event ends by 9:00 PM was made by Commissioner Langston and seconded by Commissioner Chewning. Chairman Lange said that he visited the area and found a lot of vegetation at the top of the lake and it appears to be stable. The motion passed unanimously.

- E. **Application of Ann Hughston to Rezone 147.23 acres on Map 066, part of Parcel 020, Land Lots 105, 106 & 120, Land District 18, from R-1 (Single Family Residential) to A-1 (Agricultural & Forestry); current use residence and farm with horses; proposed use is residence and farm with horses; property located at 916 Ripshin Road, Eilerslie.** Chairman Lange called the Public Hearing to order, read the specifics of the application, and said that it had been recommended for approval by the Planning Commission and Staff. Chuck Ford, attorney representing the applicant, appeared before the Board and said that Mrs. Hughston was unaware that her property was zoned A-1; that it was discovered when someone reported the number of dogs on the property; that because one cannot have a kennel permit in residential zones, it is desired that the property be rezoned to A-1; and that a Special Use Permit application will soon be filed for the purpose of obtaining a kennel permit for the dogs. Following discussion, the motion to approve this Rezoning application was made by Commissioner Chewning, seconded by Commissioner Andrews, and passed unanimously.

F. **Applications of Edgar Hughston Builder, Inc., to rezone:**

- (1) **67 acres owned by Thomas W. and Susan C. Lawhorne, on Map 032, part of Parcel 042, Land Lots 36 & 49, Land District 19, from A-1 (Agricultural & Forestry) to R-1 (Single Family Residential); current use residence and farm; proposed use residential subdivision; property located at 5205 GA Highway 315, Fortson, and**
- (2) **152.01 acres owned by Ralph M. and Gloria M. Fitch, Jr., on Map 044, part of Parcel 025, Land Lots 36 & 37, Land District 19, from A-1 (Agricultural & Forestry) to R-1 (Single Family Residential); current use residence and farm; proposed use residential subdivision; property located on GA Highway 315, Fortson.**

Chairman Lange called the Public Hearing to order, read the specifics of the applications, said that they had been recommended for approval with no conditions by the Planning Commission and Staff, and said there will be one hearing for the two applications because the properties are contiguous and for the same purpose. Chairman Lange said that due to rumors regarding the proposed development, the zoning applied for is R-1, Single Family Residential, which requires at least two acres per lot; that there will be no lot less than two acres; and that the proposed development is not for a PUD, which does allow for less than two acres. Edgar Hughston, Jack Hughston, and Brandon Bolt appeared before the Board regarding the applications. Mr. Jack Hughston said that they are proposing an 80-lot subdivision; that all lots have at least two acres or more; that GDOT will require a left turn lane off GA Highway 315; that they are proposing two entrances - one on Highway 315 and one on Grantham Drive; and that they meet all County requirements for a subdivision. In response to questions from the Board, Mr. Jack Hughston said that he does not know the exact number of lots over two acres; that the subdivision will be on County water; that due to traffic concerns, plans have been altered to have more stop signs and turns to reduce possible traffic cut-throughs. Commissioner Langston said that Jeff Culpepper, Water Works Director, indicated to her that there would not be a problem in providing county water to the proposed subdivision. She asked if it would be possible to have only one entrance/exit for the subdivision on Highway 315 and not have one on Grantham Drive. John Taylor, County Attorney, said that such could be a zoning condition. Discussion took place as to whether or not the Planning Commission would approve only one entrance/exit, and Mr. Taylor said that it would if such a condition is placed on the rezoning by the Board. There being no further comments or questions, Chairman

Lange asked if anyone wished to speak in favor of this Rezoning application.

Scott Boyce, of Woodruff Brokerage and representing the Lawhornes, appeared before the Board and said that the rezoning of the property meets the 2014 Comprehensive Plan, the Future Land Use Map, and the County's requirements for rezoning.

Tom Lawhorne, owner of the 67-acre property, appeared before the Board and said that he and his wife are selling the property in order to downsize; that the amount of acreage is too much for them to maintain; that the rezoning and development of the property will benefit the County and bring a bigger tax base; and that he urges the Board to rezone the property.

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

Robert Lee, citizen who lives on Hamilton Mulberry Grove Road in Cataula, appeared before the Board and said that he moved from Columbus to Harris County because of less traffic and lower taxes; that he lives on 2.5 acres; and that he didn't plan on being part of a bedroom community for Columbus.

Jack Massey, citizen who lives on Grantham Drive, appeared before the Board and said that there are two 90 degree turns on Grantham Drive and going another 150 feet, there is another; and that Grantham Drive is a dangerous road.

Tammy Cantrell, citizen who lives on Grantham Drive, appeared before the Board and presented an opposition petition with the signatures of all the homeowners on Grantham Drive, and said that Grantham Drive has dangerous curves and turns.

Jennifer Hardy, citizen who lives on Grantham Drive, appeared before the Board and said that she is concerned about the increase in traffic that will result from the subdivision and the safety of the people in the area.

Luther Wolff, citizen who lives on Lower Blue Springs Road, appeared before the Board and said that based on the value of the homes, all taxes will go up depending on the actual number of houses, the services required and the demographics of population. In response to a question from Commissioner Langston, Mr. Wolff said that he lives about three to four miles from the subject property.

Mark Horton, citizen who lives at 798 Grantham Drive, appeared before the Board and said that from a public safety point of view, Hamilton Mulberry Grove Road during school time is extremely dangerous; that 315 in Fortson at the curve is probably the number one spot in the county for traffic accidents; that adding another entrance off Grantham Drive is just going to compound the issue; and that without a traffic light in the area, there is no way public safety can cover that area along with the rest of the County.

Dewayne Barton, citizen who lives at 911 Grantham Drive, appeared before the Board and said that he is concerned about the traffic; that 80 houses will bring another 160 cars or more depending on the number of vehicles per house; that when a school bus turns onto Grantham Drive, you almost have to get on the side of the road to let the school bus in; that the planned easement is a dirt track and people will use it to cut from Highway 315 to Grantham Drive; that all the roads in the area are full of school traffic; that Grantham Drive is barely big enough for two cars to meet; that kids play on the road; and that with the new subdivision, traffic will triple.

Meghan Guenther, citizen who lives at 111 Hamilton Mulberry Grove Road, appeared before the Board and said that its evident people are concerned with development in the County; that consideration should be given as to the impact of such developments in the community; that every day more land is being rezoned; that with more developments, the County will become part of Columbus; that traffic studies should be required particularly when the effects of the Grove, this proposed development, and the homes in Hart Preserve are not known; that schools will see the impact of the proposed subdivision; that schools are already overcrowded; that people move to the county for less traffic, congestion, rural peace and quiet, and good education; that consideration should be given toward how fast development is growing and the number of children impacting the schools; that before a rezoning/subdivision goes before the Troup County Commissioners, the application has to be reviewed by the zoning administrator, the county planner, the building

inspector, the county engineer, the fire marshal, the public works department, the board of education and a member of the planning commission for scoring to include traffic impact, road impact, water impact, and utilities; that Harris County should not allow developers to dictate how the County is developed; that development of the County needs to be readdressed as well as the quality of houses, the strain on EMS, the volunteer fire departments, the Sheriff's department; and that she has a petition of 2,123 signatures of individuals concerned with development in the County. (The petition was not submitted for the record.)

Timothy Jackson, citizen who lives on Mulberry Trace, appeared before the Board and said that The Grove is too much; that people move to a rural county; and he reminded the Board that they work for the citizens and they will know who voted for what.

Anna Marie Warren, citizen who lives in Poplar Place, appeared before the Board and said that she has clients on Mulberry Trace, on Grantham Drive, and along GA Highway 315 and some of the roads can't handle the additional traffic; that there is a lot of congestion on Hamilton Mulberry Grove Road and when school lets out, the traffic gets even worse; that parents with their children and/or dogs walk on Grantham Drive, which is not a good road on which to add traffic; that Harris County is beautiful, but to clear-cut property and not leave any trees destroys the county; and that growth brings more expenses for the County.

Brian Grantham, citizen who lives on US Highway 27, appeared before the Board and said that from what he hears, people like the way the County is now; that they are asking to let Harris County remain rural. In response to a question from Commissioner Langston, Mr. Grantham said he lives 10 to 15 miles from the subject property.

Enon Hopkins, citizen who lives on GA Highway 315, appeared before the Board and said that he has 141 people on Facebook live (via his cell phone) and they wanted him to let the Board know they are paying attention as well; that the effect the development could have on fire services should be taken into consideration; that more funding may be necessary for fire services. In response to a question from Commissioner Langston, Mr. Hopkins said he lives about 4.5 miles from the subject property.

John Joiner, citizen who lives on Hamilton Mulberry Grove Road, appeared before the Board and said that he moved to Harris County to get away from the city; that the Commissioners are allowing more development to build a bigger tax base, which creates more problems; that adding more traffic is going to cause a greater ordeal; and that he hopes the infrastructure can handle the effects of the subdivision.

Jamie Landers, citizen who lives on Grantham Drive, appeared before the Board and said that Grantham Drive has walkers, runners, children, pets and everyone knows to watch out for one another; that opening the road up to more traffic will make it more dangerous; that schools are already to the point of being overcrowded; and that they like the neighborhood the way it is.

Jeremy Williams, citizen who lives on Pike Drive, appeared before the Board and said that a previous hearing was to rezone property from R-1 back to A-1 and had no comments or issues but this application going from A-1 to R-1 is a big problem; that he likes the rural environment of the County; and that it is ironic to have both proposals on the same night.

There being no further comments in opposition, Chairman Lange asked Mr. Edgar Hughston, Mr. Jack Hughston, and Brandon Bolt for rebuttal.

Mr. Jack Hughston said that there is a high demand for houses and is why they develop subdivisions; and that they meet the Comprehensive Plan and all the County's rules and regulations.

There being no further comments of questions, Chairman Lange closed the Public Hearing for the two rezoning applications and asked for a separate motion on each application. In response to questions from the Chairman, Mr. Jack Hughston said that there will be an accel/decel lane on GA Highway 315 because GDOT has approved it and requires it.

Regarding the application to rezone 67 acres, the motion to approve with the

condition that there be only one entrance/exit for the subdivision from GA Highway 315 with no entrance/exit to/from Grantham Drive, was made by Chairman Lange, and seconded by Commissioner Langston. Commissioner Langston said there has been a great deal of misinformation about the proposed subdivision; that it is R-1 with a minimum of two acre lots; that some lots are more than two acres; that her personal property abuts The Grove; that the Commissioners voted to raise the millage rate by 2.5 mills, but she did not vote for it; that in order to keep tax rates low, the County must have development; that county services increase every year and someone has to pay for that; that if there is no development, the citizens will be paying that increase; that development is progress; that The Grove will affect her home very much; that in 2007 she got a group together and met with The Grove's developer, who made ten (10) concessions that they did not have to make but did so to be good neighbors; that she is trying to say there has to be development in order to keep taxes lower; that there is a great number of retired citizens who cannot afford tax increases every year; that she cannot put that on the backs of the people already here; that we need to make sure developments are done smartly; that in The Grove, one of the concessions was to provide a 100' undisturbed buffer behind every residential property and they are only required by law to provide 30'; that there will be no homes on quarter acre lots in the proposed subdivision; and that it's always a good thing to talk and work together to make the County better.

The motion to rezone the 67 acres from A-1 to R-1 passed unanimously.

Regarding the application to rezone 152.01 acres from A-1 to R-1, the motion to approve with the condition that there be only one entrance/exit for the subdivision from GA Highway 315 with no entrance/exit to/from Grantham Drive, was made by Chairman Lange, and seconded by Commissioner Langston. Commissioner Andrews said she is a native of Harris County; that she has seen development come all around her home; that as School Superintendent she saw both the good and bad of developments; that she always asked about the size of the homes to make sure the homes would help pay for the schools that will have to be built; that she loves the rural nature of the County, but growth is inevitable and we can't continue to pay for services without development; that businesses won't come without the rooftops; that it is the job of Commissioners to make sure that the growth is controlled the best way possible with the rules and regulations that are in place; that she understands where the citizens are coming from; and the developers have met all the requirements in the current rules and regulations.

The motion to rezone the 152.01 acres from A-1 to R-1 passed unanimously.

- G. **Application of Robert Nichols, managing member of Ellerslie Plaza, to amend the current zoning conditions to allow the sale of gasoline on 4.077 acres of Map 081, Parcel 176, Land Lot 147, Land District 18; property located at corner of GA Highway 85 and Madison Way, Ellerslie, and zoned C-4 (Highway Commercial).** Chairman Lange called the Public Hearing to order, read the specifics of the application, and said that the Planning Commission had recommended approval but that Staff had recommended disapproval. He said that the current zoning conditions on the C-4 property are: (1) the following C-4 uses shall be prohibited - aircraft sales and service, billiard hall, deer and game processing, freight depots - truck and rail, *gasoline sales*, radio and TV transmitter or tower, roller skating rink, truck depot, truck sales and service, warehousing, and wholesale; (2) access points shall be reviewed by DOT and subject to the approval of the County Engineer; (3) provide ingress/egress lanes subject to DOT regulations; (4) all buildings shall be brick, rock or masonry on the front and sides; (5) a 50 foot undisturbed buffer along the north side and back of property; and (6) all roads and parking lots shall be paved. Robert Nichols, applicant for Ellerslie Plaza, appeared before the Board and said that plans are to put a strip mall with a pizza shop, dental clinic, a donut shop, and a convenience store with gasoline sales. He showed a depiction of the plan for the property and pointed out GA Highway 85, Madison Way, strip center, convenience store and pumps, and two entrances on Madison Way, and said that the shops will all have masonry sides. In response to questions, Mr. Nichols said that there will be trees along GA Highway 85, that there will not be direct access off of GA Highway 85; that the strip center is set up for five tenants in addition to the convenience store and donut shop; that the only semi-truck that will go into the area will be for fuel delivery. In response to a question, Mrs. McMichael said that the minutes don't show any discussion regarding the reason for the zoning prohibitions on the property, that in 2006, ten conditions were recommended by the County Planner and the Planning Commission included all ten in their recommendation, but when the Board voted, they reduced the number of

conditions from ten to six. In response to questions, Mr. Nichols said that GDOT requires the entrance for everything, including the Dollar General across Madison Way, to be on Madison Way and not from GA Highway 85; that there will be a 50' undisturbed buffer at the south property line; that lighting will be LED and directed straight down.

There being no further questions, Chairman Lange asked if anyone wished to speak in favor of the application. There being none, he asked if anyone wished to speak in opposition to the application.

Tom Debardeleben, citizen who lives on Madison Way, appeared before the Board and said that his property abuts the subject property and is the first house on the left on Madison Way; that the neighborhood is quiet; that he would prefer to have the access to the convenience store from GA Highway 85; and that he is concerned about additional traffic.

There being no further comments in opposition, Chairman Lange asked Brian Williams, Community Development Director, as to the Staff recommendation for disapproval. Mr. Williams said that it was based on the previous recommendations made by the County Planner in 2006. He also said that GDOT will not permit access from GA Highway 85.

Chairman Lange asked Mr. Nichols if he had any further comments. Mr. Nichols said that he is already having conversation with individuals to locate in the strip shops; that one of the reasons for the two entrances/exits on Madison Way is to try and minimize the traffic and the blocking of access into and out of Madison Way; that the shops will have minimal traffic. In response to questions, Mr. Nichols said that without gas sales, he will not be able to develop the property; that it would result in too great of a rental cost; and that he would not be able to recoup the project cost; that the lighting will shine straight down and have minimal impact; that the 50' buffer between the property and that of Mr. Debardeleben is an undisturbed buffer and should be ample to block the lighting; that the buffer is full of pine trees; and that there is a retention pond and field lines north of the buffer.

There being no further comments or questions, Chairman Lange closed the Public Hearing and asked for a motion.

The motion to approve to remove the restriction to prohibit gasoline sales on this property was made by Commissioner Andrews, seconded by Commission Chewning, and passed unanimously. (All other conditions to remain the same.)

7. **COUNTY MANAGER (CONTINUED)**

- B. **Bid Award: Four Roads (LMIG)**. Randy Dowling, County Manager, said that bids had been requested for the resurfacing of Cold Springs Road, Davis Lake Road, Goat Rock Road, and Waterford Drive, a distance of 5.9 miles, and that two bids were received, as follows:

Company	Base Bid
CW Matthews, Marietta, GA	\$ 894,000.00
Robinson Paving, Columbus, GA	\$ 1,131,552.50

Mr. Dowling said that the recommendation is to award the bid to CW Matthews for \$894,000; that funding will be \$753,663.13 from 2018 LMIG, \$75,366.31 from SPLOST 2009 (the match), \$19,700.56 from SPLOST 2009 (overage), and \$45,270.00 from SPLOST 2014 (overage balance); and that the SPLOST 2009 funds will be depleted with this expense, and that the project is to be completed by June 30, 2018. Following discussion, the motion to award the bid to CW Matthews for \$894,000 was made by Commissioner Langston, seconded by Commissioner Chewning, and passed unanimously.

- C. **Project Updates**. Randy Dowling, County Manager, brought the Board up to date on various projects, as follows:
 - (1) Prison CCTV Security System Update. Bid has been awarded and the project will soon be underway with completion by June 30, 2018.
 - (2) County-wide Radio System. The finishing touches to the agreement are taking place; agreement will be sent to the Board before it goes to Diverse Power.

- (3) LMIG 2018 Project for Four Roads. Bid award was made during tonight's meeting and project completion is to be by June 30, 2018.
 - (4) Hamilton Business Park Road Extension. Bid award was made during tonight's meeting.
 - (5) Holland Drive. Right of Way agreements have been mailed to property owners.
 - (6) Playground Equipment for Pate Park. Bid specs have been drafted by the department head and should be going out next week.
 - (7) Garbage Trucks. Notification has been received that the two new garbage trucks will be received in May.
 - (8) Scrap Tire Event. Two days for turning in scrap tires at the Transfer State at no charge will be April 7 and April 14.
 - (9) Library. Dedication is scheduled for March 29 at 11:00 AM; the old library closed on Wednesday, February 28.
 - (10) SPLOST Continuation. All information is on the website in preparation for the May 22 referendum.
 - (11) Prison Inmate Health Care Services. RFP has been released and bids are due March 19.
 - (12) Single Family Building Permits. Total of 154 permits have been issued for the fiscal year and should surpass the number issued for the previous four years
- D. **Budget Schedule FY 18/19**. The motion to approve the budget schedule for FY 18/19 was made by Commissioner Langston, seconded by Commissioner Andrews, and passed unanimously.
8. **COUNTY ATTORNEY**
- A. **Carter & Sloope Proposal: Melody Lake Dam Upgrades Alternative Analysis and Budget Amendment #14**. John Taylor, County Attorney, reviewed the proposal to provide alternative analysis costs for potential upgrades to the Melody Lake Dam, and he recommended approval of same. Following discussion, the motion to approve the proposal at a cost of \$15,000 and budget amendment #14 was made by Commissioner Chewning, seconded by Commissioner Andrews, and passed unanimously. (Document can be found in Contracts & Agreements file as C&A#18-07.)
 - B. **Resolution: Moratorium on Building Permits below Melody Lake Dam**. John Taylor, County Attorney, said that the County had previously approved a moratorium on building permits below Melody Lake Dam; that it has expired; and in light of the potential upgrade to the dam, another resolution has been prepared to prohibit the issuance of building permits for property below the dam; and that it will expire November 6, 2019, unless sooner terminated or extended. The motion to approve the Resolution was made by Commissioner Chewning, seconded by Commissioner Andrews, and passed unanimously.
9. **ADJOURNMENT**. There being no further business to discuss, the motion to adjourn the meeting was made by Commissioner Langston, seconded by Commissioner Chewning, and passed unanimously.

J. Harry Lange, Chairman

Attest:

Nancy D. McMichael, County Clerk