

**HARRIS COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION**

December 5, 2023  
6:30 p.m.

Commissioners Present: Rob Grant, Susan Andrews, Greg Gantt, Scott Lightsey, Bobby Irions. Staff Present: Randy Dowling, County Manager; Russell Britt, County Attorney (via telephone); Brian Williams, Community Development Director; Lee Walton, Consultant; Andrea Dzioba, County Clerk.

1. **CALL TO ORDER** Chairman Grant called the Regular Session to order at 6:30 p.m.
2. **INVOCATION / PLEDGE OF ALLEGIANCE** Vice-Chair Andrews gave the invocation. Chairman Grant led those in attendance in the Pledge of Allegiance.
3. **MINUTES** The motion to approve the minutes of the November 21, 2023 Regular Session was made by Vice-Chair Andrews, seconded by Commissioner Gantt, and passed unanimously.
4. **APPEARANCE OF CITIZENS**
  - A. **Morgan Marlowe - Agritourism Language in the UDC and Community Development.** Morgan Marlowe, citizen, provided a handout to the Board that expressed his concerns. He advised that he had asked for the restrictions for corn mazes and pumpkin patches be removed from the UDC and said that the Commissioners also had asked for the restrictions be removed and a master plan process be created for Agritourism, similar to Resort zoning. He said that the Planning Commission was not aware of the changes requested and that he believes that the requested changes were not presented to the consultant by Community Development as requested. He stated that he has no issue submitting a Master Plan but will not do so through Community Development as they are structured now and that he will address the changes that he would like to see in the UDC when the public hearing on that item on the agenda is held.
5. **COUNTY MANAGER**
  - A. **Bid Award - Public Works Facility.** County Manager Randy Dowling provided an overview of the agenda item related to the bid award for the Public Works Facility. Alan Udy, Hecht Burdeshaw Architects, was available via telephone to answer any questions or concerns. On December 1, 2023, four (4) bids were received as follows:

Company	Bid Amount
McLeRoy, Inc. Zebulon, GA	\$ 3,925,221.00
Carlisle Construction Pine Mountain, GA	\$ 3,734,000.00
Principle Construction LaGrange, GA	\$ 3,569,000 - \$70,000 = \$ 3,499,000.00
Headley Construction Newnan, GA	\$ 3,198,000.00

He stated that the low bidder was Headley Construction with a bid of \$3,198,000 but that with unfavorable results from Headley Construction on the recent Water Works building and the EMS/VFD station such as the quality of construction, unresponsiveness to concerns, and repeated requests for documents, that Headley Construction is not the most responsive bidder. Mr. Dowling and County staff is recommending the bid be awarded to the second low bidder, Principle Construction, for \$3,499,000.

Discussion included local bidder preference; the pros and cons of a request for Qualifications (RFQ) vs a Request for Proposals (RFP); the negative, adversarial conditions created by including "liquidated damages;" and how and when contingencies are utilized.

The motion to award the bid to Principle Construction in the amount of \$3,499,000 to construct a new Public Works facility and authorize the County Manager and County Clerk to execute the necessary documents was made by Commissioner Gantt, seconded by Chairman Grant, and failed with one in favor (Gantt) and four opposed (Grant, Andrews, Irions, Lightsey).

Vice-Chair Andrews said that she is unaware of any public project with some kind of contingency.

The motion to award the bid to Principle Construction in the amount of \$3,499,000 with a \$100,000 contingency for a total of \$3,599,000 to construct a new Public Works facility was made by Vice-Chair Andrews, seconded by Commissioner Lightsey, and passed with four in favor (Grant, Andrews, Irions, Lightsey) and one opposed (Gantt).

B. **Project Updates.** Randy Dowling, County Manager, advised that this is the first Program of Work for this fiscal year and reviewed various projects as follows:

- (1) SPLOST Continuation. The resolution calling for a referendum for an election on March 12, 2024 to continue the SPLOST was approved on November 28, 2023.
- (2) Dehumidification System at Community Center. This project is expected to be completed later this month.
- (3) New EMA/VFD Facility. This facility will be operational on December 10<sup>th</sup>. A ribbon cutting is expected to be held in late January.
- (4) New Citizen Request Management System. SeeClickFix has now expanded to include Public Works, Water Works, Solid Waste, and Recreation. Additional departments are expected to be added.
- (5) LMIG Resurfacing Program. Ripshin Road was approved to be resurfaced on August 1, 2023 and this project will be bid out in January.
- (6) New Public Works Facility. The bid was awarded this evening and the project is expected to begin in January.
- (7) Ellerslie Park Observation Tower. Construction has begun and installation is expected in late December/early January.
- (8) Pine Mountain Valley Park Development. Surveys are being conducted for citizen input and a master plan for the park will be completed and then implement.
- (9) Airport Lighting and AWOS. The equipment is being delivered and improvements should be made in late December/early January.

6. **COUNTY ATTORNEY.**

- A. **Conveyance of a 35-acre parcel of a 97.81-acre parcel in Land Lots 169-170, 5<sup>th</sup> District, City of West Point, Harris County, GA from Harris County, Georgia to the Development Authority of Harris County.** County Attorney Russell Britt (via telephone) introduced the item related to the conveyance of a 35-acre parcel from Harris County to the Development Authority in conjunction with the Memorandum of Understanding with Daesol Ausys Georgia LLC and the project moving forward to closing.

The motion to approve the conveyance of a 35-acre parcel of a 97.81-acre parcel in Land Lots 169-170, 5<sup>th</sup> District, City of West Point, Harris County, GA from Harris County, Georgia to the Development Authority of Harris County was made by Chairman Grant, seconded by Commissioner Irions, and unanimously.

7. **PUBLIC HEARINGS AT 7:00 p.m.**

The Conflict of Interest forms were completed at the request of Chairman Grant. Chairman Grant explained the procedures for the Public Hearing.

- A. **Application of Scott O'Neal, to rezone a 3.65-acre parcel, located on Map 058, Parcel 032, Land Lot 163, Land District 21st; Rezoning from A-1 (Agricultural/Forestry) to C-4 (Highway Commercial); Current use is undeveloped/wooded; proposed use is for future growth of an existing business and storage; property located**

**adjacent to and south of 834 Hamilton Pleasant Grove Road, Hamilton, GA.** Chairman Grant called the Public Hearing to order, read the specifics of the application, and said that the recommendation of the Planning Commission was approval with Staff recommendations and an additional added condition and Staff recommended approval with conditions. Mr. Scott O'Neal, Applicant, was available to provide information and respond to any questions. Mr. O'Neal addressed the Board and advised that he currently has 25 employees; that the current property is narrow and long; that he was able to purchase adjacent property; and that he hopes that the extra property will enable him to purchase products in bulk for the business.

Chairman Grant asked if there was anyone that would like to speak in favor of this application. There being none, he asked if any one would like to speak in opposition to the application. There being none, Chairman Grant closed the public hearing at 7:05 p.m.

The motion to approve the Application of Scott O'Neal, to rezone a 3.65-acre parcel, located on Map 058, Parcel 032, Land Lot 163, Land District 21<sup>st</sup> from A-1 (Agricultural/Forestry) to C-4 (Highway Commercial); property located adjacent to and south of 834 Hamilton Pleasant Grove Road, Hamilton, GA with conditions recommended by the Planning Commission as follows: 1) future property use under C-4 must be consistent with the applicant's stated intent to use the property for expansion of tree and landscape maintenance business purposes and associated storage; 2) the adjacent residential property to the south should be screened by maintain a 10-foot vegetated buffer along the southern property line adjacent to the neighboring property to the extent possible; and 3) parking areas for vehicles or equipment, other than vehicles parked for less than 72 hours, shall be screened by opaque fencing and landscaping was made by Chairman Grant, seconded by Commissioner Lightsey, and passed unanimously.

- B. **Application of Chad and Taylor Buckley, to rezone a 22.337-acre parcel, located on Map 084, Parcel 112A, Land Lots 126 and 127, Land District 18th; Rezoning from R-1 (Low Density Residential) to A-1 (Agricultural/Forestry); Current use is a residence; proposed use is a residence and homestead/farm; Property located at 286 Abberly Lane, Ellerslie, GA.** Chairman Grant called the Public Hearing to order, read the specifics of the application, and said that the recommendation of the Planning Commission was approval and Staff recommended approval with conditions. Mr. Chad Buckley, Applicant, was available to provide information and respond to any questions. Mr. Buckley addressed the Board and advised that the current R-1 zoning has limits related to having chickens and rabbits and that he expects to have approximately 25-30 chickens.

Chairman Grant asked if there was anyone that would like to speak in favor of this application. There being none, he asked if any one would like to speak in opposition to the application. There being none, Chairman Grant closed the public hearing at 7:09 p.m.

The motion to approve the Application of Chad and Taylor Buckley, to rezone a 22.337-acre parcel, located on Map 084, Parcel 112A, Land Lots 126 and 127, Land District 18<sup>th</sup> from R-1 (Low Density Residential) to A-1 (Agricultural/Forestry); property located at 286 Abberly Lane, Ellerslie, GA with the condition recommended by the Staff as follows: 1) the extent of agricultural use on the property shall be in keeping with the applicant's stated intent, including limited poultry and livestock only as appropriate for a residential homestead, not a commercial-scale agricultural operation was made by Vice-Chair Andrews, seconded by Commissioner Irions, and passed unanimously.

- C. **Application of Matt Avery, to rezone 6.6 acres of a 174-28-acre parcel, located on Map 016, Part of Parcel 049, Land Lots 64 and 65, Land District 19th, Rezoning from R-1 (Low Density Residential) to C-4 (Highway Commercial); Current use is undeveloped/wooded; proposed use is for an office and commercial use of an existing building for business; property located 600 ft**

**southwest of the intersection of the intersection of Teel Circle and GA Hwy 219, Fortson, GA.** Chairman Grant called the Public Hearing to order, read the specifics of the application, and said that the recommendation of the Planning Commission was approval with Staff recommendations and an additional added condition and Staff recommended approval with conditions. Mr. Matt Avery, Applicant, was not present.

Chairman Grant asked if there was anyone that would like to speak in favor of this application. There being none, he asked if any one would like to speak in opposition to the application. There being none, Chairman Grant closed the public hearing at 7:12 p.m.

The motion to approve the Application of Matt Avery, to rezone 6.6 acres of a 174.28-acre parcel, located on Map 016, Part of Parcel 049, Land Lots 64 and 65, Land District 19<sup>th</sup> from R-1 (Low Density Residential) to C-4 (Highway Commercial); property located 600 feet southwest of the intersection of the intersection of Teel Circle and GA Hwy 219, Fortson, GA with conditions recommended by the Planning Commission as follows: 1) future property use under C-4 must be consistent with the applicant's stated intent to use the property and existing 10,000 square foot building for commercial/office use specified as operation of a tree care and maintenance business with parking for business vehicles/equipment; 2) the adjacent residential property to the north should be screened by establishing and maintaining a 10-foot vegetated buffer along the northern property line adjacent to the neighboring property to the extent possible; and 3) parking areas for vehicles or equipment, other than vehicles parked for less than 72 hours, shall be screened by opaque fencing and landscaping was made by Commissioner Gantt, seconded by Chairman Grant, and passed unanimously.

- D. **Application of Mark Strozier, to rezone 8.0 acres of a 1536.93-acre parcel, located on Map 049, Parcel 051, Land Lot 44, Land District 19th; Rezoning from A-1 (Agricultural/Forestry) to R-1 (Low Density Residential); Current use is undeveloped/wooded; proposed use is for single family residential; property located at 8010 GA Hwy 315, Cataula, GA.** Chairman Grant called the Public Hearing to order, read the specifics of the application, and said that the recommendation of the Planning Commission was approval and Staff recommended approval. Mr. Mark Strozier, Applicant and Greystone Land LLC Representative, was available to provide information and respond to any questions. Mr. Strozier addressed the Board and advised that they would like to sell the 8 acres as R-1.

Chairman Grant asked if there was anyone that would like to speak in favor of this application.

Jim Moore, 324 Highnote Drive in Cataula, advised that he plans to purchase the property and plans to pass it on to his son.

Chairman Grant asked if any one would like to speak in opposition to the application. There being none, Chairman Grant closed the public hearing at 7:15 p.m.

The motion to approve the Application of Mark Strozier, to rezone 8.0 acres, located on Map 049, Parcel 051, Land Lot 44, Land District 19<sup>th</sup> from A-1 (Agricultural/Forestry) to R-1 (Low Density Residential); property located at 8010 GA Hwy 315, Cataula, GA was made by Commissioner Irions, seconded by Chairman Grant, and passed unanimously.

- E. **Application of Harris County Board of Commissioners to Amend the Text of the Unified Development Code, Articles 2, 3, 4, 5, 11 and 12.** Chairman Grant called the Public Hearing to order, read the specifics of the application, and said that the recommendation of the Planning Commission was approval of the requested changes along with some additional language for clarification. Lee Walton, consultant, and Brian Williams, Community Development Director, were available to respond to questions and provide information.

Chairman Grant asked if there was anyone that would like to speak in favor of this application. There being none, he asked if any one would like to speak in opposition to the application.

Morgan Marlowe, GA Hwy 18 in Pine Mountain, stated that 15,000 strawberry plants can be placed on 1 acre and believes that the minimum lot size for Agritourism should be 2 acres; that believes that farm dinners should just be permitted; that festivals should not be limited; that “temporary” should be removed from 309.09; that Agritourism should be easier for everyone; that he believes that overnight stays should be allowed; and that he has lost time and money over the last five years and to consider the changes that have been requested.

Chairman Grant closed the public hearing at 8:29 p.m.

Additional discussion included agritourism restrictions; the process for submission of a master plan; accessory buildings; that the master plan approach is to be more flexible; and that there needs to be a balance of farm, parking, and facilities. Andrea Dzioba, County Clerk, read each section of Article 3, Section 309 Agritourism Uses so that the Board could consider each section individually.

In addition to the already included revisions presented, the following changes to Article 3 were discussed and consensus reached:

309.01 - No changes

309.02 - No changes

309.03 - (a) should read “Minimum lot size: 2 acres” and (c) “A master planned approach that includes multiple agritourism uses on a farm is encouraged. In order to follow this approach, an approved Agritourism Master Plan is required. Agritourism uses and associated facilities included in an approved master plan shall determine the allowable uses and conditions of use. Applicants proposing multiple agritourism uses shall follow the requirements of Section 309.10. Following approval of an Agritourism Master Plan, an applicant may choose the timing to implement agritourism uses approved in the master plan.”

309.04 - No changes

309.05 - Delete this section

309.06 - No changes

309.07 - (b) should read “See Section 1106.02 in Article 11 for all application requirements for Agritourism uses.”

309.08 - No changes

309.09 - (a) should read “Snack shops are permitted as an accessory use to the following uses:”; (b) should read “Standards for snack shop structure and/or use:”; (b)(1) should read “A structure not to exceed 400 square feet under roof”; (b)(2) should be deleted; and (b)(5) should be deleted.

The motion to approve the recommended text amendments to Articles 2, 4, 5, 11, and 12 and with the discussed changes to Article 3 was made by Chairman Grant, seconded by Commissioner Lightsey, and passed unanimously.

8. **ADJOURNMENT**. There being no further business to discuss, the motion to adjourn was made by Chairman Grant, seconded by Vice-Chair Andrews, and passed unanimously. The meeting adjourned at 8:58 p.m.

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Rob Grant, Chairman

Attest:

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Andrea Dzioba, County Clerk