

**HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION**

August 6, 2024
6:30 p.m.

Commissioners Present: Rob Grant, Susan Andrews, Greg Gantt, Scott Lightsey, Bobby Irions. Staff Present: Russell Britt, County Attorney; Andrea Dzioba, County Clerk; Brian Williams, Community Development Director; Shalee Mallory, Chief Appraiser; Lee Walton and Claire Patrick, Consultants from WSP.

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 July 16, 2024 Regular Session was made by Commissioner Irions, seconded by Vice-Chair Andrews and Commissioner Lightsey, and passed unanimously.
4. **SECOND PUBLIC HEARING AS REQUIRED BY THE STATE ON THE COUNTY'S 2024 MILLAGE LEVY - To hold a Public Hearing as required by State Law on the County's intent to levy a millage rate that differs from the calculated "rollback" millage rate for ad valorem tax purposes.** Chairman Grant called the Public Hearing to order and said that the purpose of this meeting is regarding the notice of intent to increase the property tax and that this is the second of three hearings the County is required to hold regarding same; and that there will be one more Public Hearing on August 20, 2024 before the millage rate is set. Chairman Grant said that the County has tentatively adopted a 2024 millage rate which will require an increase in property taxes by 3.57 percent County Wide less West Point and by 2.09 percent in the West Point area; that this tentative increase will result in a millage rate of 9.13 mills.

Chairman Grant asked if anyone wished to comment on the millage rate. No one requested to speak during the public hearing.

Vice-Chair Andrews advised that if the Board votes for the millage rate to stay the same and a property was not revalued, that property taxes will be \$500.00 more than last year because there was a grant last year from the Governor that there isn't a grant this year.

Chief Appraiser Shalee Mallory advised in response to questions from the Board that approximately 22% of the properties in Harris County were revalued; that an increase in taxes may be due to an increase in value; that the reassessment of properties was an increase in tax revenue of approximately \$640,000; that HB 581 would be on the ballot in November and has floating exemptions; that values can only change by inflationary index; that it is only for homesteaded properties; that the notice of assessment would be different; and that she is trying to stay informed.

Chairman Grant closed the Public Hearing at 6:40 p.m.

5. **NEW BUSINESS**
 - A. **Resolution - GEFA Drinking Water State Revolving Fund Loan Agreement and Note.** Chairman Grant stated that Harris County was awarded \$100,000.00 in funding for our Lead Service Line Inventory work which is being required by the Environmental Protection Agency (EPA) and involves inventorying all water service lines on each side of the meter - County side and customer side.

A motion to approve the Resolution and authorize the Chairman and the Board to execute all necessary documents related to this project was made by Commissioner Gantt, seconded by Vice-Chair Andrews, and passed unanimously.
6. **COUNTY MANAGER.** County Clerk Andrea Dzioba provided a brief update related to the allocation letter for funding for the terminal expansion at the Airport and the progress of the Public Works building and that Public Works is in the process of looking into furniture so that they are prepared to move in when the time comes. Chairman Grant informed the Board that there was a Zoom call with GDOT related to improvements along 315 and everything is moving forward with planning that project. He further advised that the Superior Court Clerk offices have been moved and

renovations are beginning. Chairman Grant stated that some storage has temporarily been obtained inside the old band room at the old high school and that renovations have begun at the Courthouse.

7. **COUNTY ATTORNEY.**

A. **REQUEST FOR EXECUTIVE SESSION.** County Attorney Russell Britt said that he had a need for an executive session on personnel.

8. **RECESS FOR EXECUTIVE SESSION.** Vice-Chair Andrews made the motion to go into Executive Session for personnel at 6:46 p.m. The motion was seconded by Commissioner Irions and passed unanimously.

9. **RESUME REGULAR SESSION.** The motion to go back into Regular Session was made at 6:57 p.m. by Commissioner Lightsey, seconded by Vice-Chair Andrews, and passed unanimously.

10. **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. The Public Hearings were opened at 7:00 p.m.

A. **Application of James Claxton, for a Special Use Permit for a private kennel on a 0.77-acre parcel located at 142 Azalea Drive, Waverly Hall, GA; Located on Map 097A, Parcel 999B, Land Lot 32, Land District 22nd, and zoned A-1 (Agricultural/Forestry).**

Chairman Grant introduced the Application of James Claxton for the request to rezone. James Claxton, Applicant, was in attendance to respond to questions from the Board. Mr. Claxton advised in response to questions from the Board that he has eight bulldogs and four chihuahuas; that all are vaccinated; that his gates are padlocked; that he hasn't had any complaints from anyone; that he has lived there since 2021; that he has had the same twelve dogs since he moved in; that there was then a complaint about barking and Animal Control came out; that he did not know about the limit of dogs that he could have; that he is currently renting but is buying the home; and that the dogs are 2 and 3 years old.

Commissioner Lightsey stated that he has concerns about accessibility to the property by the Fire Department and EMS to his home in case of an emergency.

Chairman Grant asked if anyone wished to speak in favor of this application.

Rita Crosby, resident at the property, appeared before the Board and stated that the ambulance drivers went down the wrong road and that she had to redirect them to the proper entrance.

Chairman Grant asked if anyone wished to speak in opposition to this application.

David Fuller, resident who lives on Hawthorne Drive in Waverly Hall, provided a petition along with pictures of the enclosures that the dogs are kept in and stated that he is a third generation resident at Melody Lakes; that he has a vested interest in the area being safe and clean; that the enclosures provided by Mr. Claxton don't meet the minimum State requirements of shelters for dogs; that if he were a buyer that he would have a concern about the property; that due to being a member of the Waverly Hall Fire Department that he is always looking for hazards; that the property has a six-foot fence with unrestrained dogs; that the current conditions are not adequate; and that he would like the Board to consider his concerns.

Jay Willard, resident who lives on Hawthorne Drive in Waverly Hall, stated concerns that the permit would be to the property and not the owner of the dogs and that the current conditions for the dogs was inadequate.

Mr. Claxton inquired about how the permit could work for the property since he paid for it.

In response to questions, Brian Williams, Community Development Director, advised that the SUP follows the property and that without an SUP that the maximum dogs allowed is five.

Commissioner Gantt stated that he would like more input from Animal Control.

Chairman Grant closed the public hearing at 7:20 p.m.

Commissioner Gantt Stated that he would like to table this item until the August 20, 2024 Regular Session meeting.

B. Application of McCain and Deal Homebuilders, to rezone a 1.26-acre parcel, located on Map 061, Parcel 029B, Land Lot 27, Land District 21st; Rezoning from C-3 (Neighborhood Commercial) to A-1 (Agricultural/Forestry); Current use is vacant property; proposed use is to build and sell a home; property located 200' northwest of the intersection of Goolsby Circle and GA Hwy 27, Cataula, GA.

Chairman Grant introduced the Application of McCain and Deal Homebuilders for the request to rezone. Dennis Deal, Applicant, was in attendance to respond to questions from the Board. Mr. Deal advised that he is requesting to rezone the property so that an 1,800-2,000 square foot home would be built. In response to a question from the Board, Mr. Deal advised that he wasn't sure where the driveway would be located yet.

Chairman Grant asked if anyone wished to speak in favor of this application. There being none, Chairman Grant asked if anyone wished to speak in opposition to this application.

There being none, Chairman Grant closed the public hearing at 7:24 p.m.

A motion to approve the Application of McCain and Deal Homebuilders, to rezone a 1.26-acre parcel, located on Map 061, Parcel 029B, Land Lot 27, Land District 21st; Rezoning from C-3 (Neighborhood Commercial) to A-1 (Agricultural/Forestry); property located 200' northwest of the intersection of Goolsby Circle and GA Hwy 27, Cataula, GA with the staff recommendations that the property be used for the proposed single-family residential purpose was made by Commissioner Lightsey, seconded by Commissioner Irions, and passed unanimously.

C. Application of Jennifer Wolfe, Owners' Representative, to rezone 35.56 acres, located on Map 090, Parcel 074A and 074B, Land Lot 271, Land District 21st; Rezoning from A-1 (Agricultural/Forestry) to CORD (Commercial Outdoor Recreation Development); Current use is agricultural; proposed use is for recreational and vacation camps, lodges and retreats; property located at 3341 Kings Gap Road and 3343 Kings Gap Road, Pine Mountain Valley, GA.

Chairman Grant introduced the information related to the Application of LaShawn M. Gibson for the request to rezone. LaShawn M. Gibson, Applicant, was in attendance to respond to questions from the Board. Ms. Gibson thanked the Board and advised that she had purchased the property and discovered that it was spot zoned. She said that she made the application to rezone so that she can build a home on it.

Chairman Grant asked if anyone wished to speak in favor of this application.

Patricia Rowe stated that she is a current owner of the property; that she is passing it down to Megan Kennedy; and that there are a lot of other possibilities that the property could be used for but that this project feels like a good use of the property.

Sarah Ritter advised that she runs an environmental education non-profit; that she loves that they are not clear cutting the property; that her and her friends would go to a place like the one proposed; that when staying, that she would find local hiking areas; and that all places like this one are usually on windy roads.

Tyler Ward said that he was really grateful to see all of the people in attendance; that this area feels like the "real Harris County;" that they talked about the developments on the southern side of the County; that developers don't care since they don't live here; that he felt that eight cabins fit the feel/vibe of this side of the County; and that they wanted to make the project nicer and not the same as a large developer.

Brooks Ritter stated that his whole world every day is spent trying to connect people to the environment; that it is important to have spaces where you can be

out in the woods and then go back into air conditioning; that people would come that are not from the area for outdoor recreational opportunities and that people would want to visit nature with comfortable accommodations.

Graham Oliver said that he loves that only eight people would stay there; that if camping, guests would not go off of the trail; and that he is absolutely in favor.

Madeline Hawkins said that she has been a resident since 2013; that she lived near the Chalets and never had any issues; that there wasn't any garbage or noise; that this project can bring revenue; and that the people involved in the project have experience.

Miranda Childers, resident who lives on Hudson Mill Circle; stated that she is always doing activities and visits FDR State Park; and that she wants these places to continue to succeed with more visitors and have them thrive.

Abigail Buchman stated that she has been a host for the past four years; that she has hosted over 784 families brought to the area; that she has a 4.9 star rating with guests; that when there is an issue that the response time is less than one hour; that guests can't "instant book" and must produce a government issued identification and be over 25 years of age; that guest profiles are checked and booking declined if bad experiences; that guests have to acknowledge property rules; that no pets are allowed except for registered service animals; that there is no smoking; that they have never had to call public safety; that tax revenue could be \$100,000+; and that they will provide written directions to all guests.

Anna Corbett stated that she was raised in Pine Mountain; that she has Spectrum and has not had any problem with GPS or phone service; that guests would only turn from main road into the driveway; that locals on the road are more of an issue; that this project is a great opportunity and will provide jobs and income for multiple people; and that the project will be beautiful and not only meet but exceed expectations.

Jake Wallace said that he grew up in Cataula on Walker Road; that he would love a place like this to bring his daughter to; that he believes in individual property rights so long as the change is reasonable; that the development would support FDR State Park.

Jessica Battle stated that she is an outdoor person but with two daughters knows that true tent camping isn't fun with small kids; that when she stayed in a place in North Georgia that she went out every night and people would bring money to the area; that she can stay close to home but with nature with it.

Megan Kennedy stated that she is emotional with all of the support; that she grew up in Harris County; that she fell in love with curating unique experiences; that this project combines nature and a unique experience; that she wants to enhance the property and natural beauty; that the property is surrounded by a mountainous area; and that she has nine years of luxury hospitality experience.

Tony Scott, citizen who lives on Reynolds Road in Fortson, said that he feels that they have covered a lot of the safety issues and really have done their due diligence; that it is great for families with small kids as well as the elderly and handicapped; and that he was in favor of the project.

Chairman Grant asked if anyone wished to speak in opposition to this application.

Chance Carlisle, citizen who lives on H Street in Hamilton, stated that this is not personal but is against the zoning being asked for; that the project does not fit County zoning; that this is the wrong zoning in the wrong place; that he has asked for regulations for law enforcement; that the County needs to decide what to do about short term rentals; and that the County needs to give law enforcement "teeth."

Annette Suber, citizen who lives on Kings Gap Road in Shiloh, said that she is a generational resident and proud to live here; that she is a compliance officer by trade; that this is an old established community and that the Board needs to think about them; that rules are made with the best of intentions; that there is no cell service there; that the area should not be developed commercially; that she doesn't want another Acres of Shade like in Cataula; that she is concerned about

the road; that renters won't care; that if this is unsuccessful, then what; and that a lot of things can go wrong.

Karen Briggs, citizen who lives on Kings Gap Road in Shiloh, read from a handout that she provided and stated that she has public safety concerns; that there is inadequate sight distance at this location and drivers listen as well as look when pulling out; that she believes that this will have an environmental impact; that she has concerns about trash and public safety; that she wants the rural character of the area to be preserved; and that properties in this area are handed down through generations of family

Don Oliver, citizen who lives on Kings Gap Road in Hamilton, provided a "petition" and stated that it only takes a "couple of bad apples" to ruin something; that it is a great idea but affects everyone else living in the area; and that he has safety concerns.

Jennifer Castleberry stated that her grandparents have lived next door for sixty years; that she wants to know who was contacted about this rezoning; that she wondered whether the people that spoke in favor are impacted by this project; that while driving today a car stopped at the property, pulled in, and backed out almost causing an accident that she is concerned about how this will affect their cows; and that if the plan was so special, why they tried to get approval in Pine Mountain first.

William "Mike" Grady, citizen who lives on Kings Gap Road in Hamilton, stated that noise travels; that they already have trespassers from FDR State Park; that the road is dangerous; and that they don't care about the safety of others.

Robert Shirley, citizen who lives on Kings Gap Road in Hamilton, stated that he is concerned about safety and strangers being in the area.

Gary Magouirk, who owns a business on Trammell Mill Road, stated that he plans to file an application to rezone his property from C-4 to A-1; and that this property violates the goal to preserve Harris County.

Ryan Hadley, citizen who lives on Kings Gap Road in Hamilton, stated that no one contacted him about this rezoning; that the people that are enthusiastic about this project don't live close; that he is concerned about safety and the "King's Gap Curve;" and that this is the wrong place for this project.

In rebuttal, Jennifer Wolfe advised what while there have been valid concerns; that certified letters were sent with contact information; that they received one call and sent an e-mail response; that the inconsistencies were because they tried to address and concerns that have been brought up and adapted the plans; that they want to bring people in to enjoy the area; that CORD is designed for outdoor recreational development which this project is; that a campground has provisions in place and you can't stay more than 30 days; that there is a vetting process to be able to check out and then check back in; that she does appreciate the opinions of the opposition; that this project can present an opportunity for peace and quiet; and that the road should not be the determining factor related to this project.

In response to questions from the Board, Mr. Buchman advised that the pictures depict an existing property in a different area. Brian Williams, Community Development Director, advised that CORD is a floating district. Lee Walton, Consultant, informed the Board that CORD has been in existence for a long time; that the NAICS code has not been adopted by the County and assists with interpretation; and that the use is consistent with CORD zoning; that the land surrounding this property is agricultural; that existing CORD are individual parcels of varying sizes surrounded by A-1; and that Table 2-2 is Accessory Use and to be an accessory use it would have to be an accessory to the primary use. Chairman Grant questioned by the NAICS code is being referenced if we aren't using that code and has a problem with a campground that's not a campground. Mr. Walton advised that the reference to the NAICS code is to assist with interpretation. Vice-Chair Andrews stated that people who "glamp" want conveniences and that there is very little infrastructure in this area and that this is confusing. Mr. Walton stated that this is a proposal to provide lodging in a CORD consistent setting in the form of cabins. Vice-Chair Andrews stated that she is aware of other resort type amenities in the county that were developed that have fallen into disrepair and she can't know what she knows about those other

places. Discussion included what they would be able to do with a lot this size in A-1 including that the lot could be broken into 3 lots, with a house on each lot and each could have an accessory dwelling unit that is less than 800 square feet under the roof.

Chairman Grant closed the public hearing at 9:31 p.m.

Commissioner Lightsey stated that before he makes a motion that he wanted to say that he loves camping and has camped everywhere.

A motion to deny the Application of Jennifer Wolfe, Owners' Representative, to rezone 35.56 acres, located on Map 090, Parcel 074A and 074B, Land Lot 271, Land District 21st; Rezoning from A-1 (Agricultural/Forestry) to CORD (Commercial Outdoor Recreation Development); Current use is agricultural; proposed use is for recreational and vacation camps, lodges and retreats; property located at 3341 Kings Gap Road and 3343 Kings Gap Road, Pine Mountain Valley, GA was made by Commissioner Lightsey and seconded by Vice-Chair Andrews.

Commissioner Gantt said that we should try to find a way to make this type of project fit somewhere in the community but does not believe that the proposed location is the right place for it.

The motion passed unanimously.

D. **Application of Jennifer Wolfe, Owners' Representative, for a Special Use Permit for recreational and vacation camps, lodges and retreats on a combined 35.56-acre parcel located at 3341 Kings Gap Road and 3343 Kings Gap Road, Pine Mountain Valley, GA; Located on Map 090, Parcel 074A and 074B, Land Lot 271, Land District 21st, and is zoned A-1 (Agricultural/Forestry).**

County Attorney Russell Britt advised that the Application for a Special Use Permit was moot based upon the denial of the rezoning application and it was not necessary to vote on the Special Use Permit.

Chairman Grant closed the public hearing at 9:37 p.m.

11. **ADJOURNMENT.** There being no further business to discuss, the motion to adjourn was made by Vice-Chair Andrews, seconded by Commissioner Lightsey, and passed unanimously. The meeting adjourned at 9:37 p.m.

Rob Grant, Chairman

Attest:

Andrea Dzioba, County Clerk