

Monroe County Board of Commissioners

Minutes of the February 1, 2022

Regular Commissioners Meeting

5:00 P.M. Meeting

Present:

Greg Tapley, Chairman

Lamarcus Davis, Vice Chairman Eddie Rowland, District 2

John Ambrose, District 3

George Emami, District 4

Staff:

Jim Hedges, County Manager

Ben Vaughn, County Attorney

Janet Abbott, County Clerk

Richard Dumas, Public Information Officer

Kelsey Fortner, Zoning Officer

Welcome

Chairman Tapley welcomed everyone in attendance.

Prayer

Commissioner Davis led the invocation.

Pledge

Chairman Tapley led the Pledge.

Roll Call

County Clerk Janet Abbott called roll.

Call to Order

Chairman Tapley called the meeting to order at 5:00 P.M.

New Business

Approve Agenda

Chairman Tapley presented the agenda for approval with the following changes:

- Adding a ten-minute break prior to 6:00 p.m. due to the meeting starting earlier.
- Moving the Brownlee Road Zoning hearing to last of the public hearings.
- Moving property tax due date first on the agenda
- Adding IRC Code discussion after tax commissioner
- Addition of illegal housing discussion.

Commissioner Ambrose motioned to approve the agenda with said changes.

Commissioner Davis seconded the motion and the motion carried 5-0.

Approve Minutes-BOC Meeting-January 13, 2022

Commissioner Rowland motioned to approve the minutes of the January 13, 2022, Regular meeting with the usual 30 days for changes.

Commissioner Davis seconded the motion and the motion carried 5-0.

Property Tax Due Date

At the January 13, 2022, Board of Commissioners' meeting, the Board agreed to change the Property Tax due date from December 20th to November 15th, at the request of the Tax Commissioner. On January 25, 2022, a meeting was held to further discuss the implications of moving the tax due date forward and in attendance were representatives from the City of Forsyth, the Board of Education, three representatives for the Tax Assessors' Department, Jim Hedges, and Lorri Robinson from the County, two representatives from the Tax Commissioner's Office, and Chairman Greg Tapley led the meeting that lasted approximately one-hour. At the conclusion of the meeting, it was agreed that changing the tax due date would be delayed by one-year and go into effect in 2023 at the earlier date of November 15th. Shortly after the meeting, Tax Commissioner Lori Andrews, via email to the Commissioners, Bobby Gerhardt, Ben Vaughn, and myself that she was reneging on her agreement to defer the change in the tax due date for 2022 and agreed to compromise on December 1st instead of November 15th.

As Bobby Gerhardt stated, "this will put a tremendous strain on his department" given the current workload this year stemming from record new permits, record home sales, and record field checks. Further, Bobby stated "if we have an earlier due date then I need two more people now. A new data entry person and another real property appraiser (already approved). They will not help us this year, it's too late, but it will ensure we can get the job done correctly next year." We struggled this year adopting the millage rate in August and did so before

we had final health insurance numbers in September, which are a significant portion of our annual operating budget. Mr. Hedges stated his preference would be to defer changing the property tax due date to 2023.

Commissioner Ambrose motioned to move the property tax due date to December 1, 2022, and for 2023 the due date will be November 15, 2023.

Commissioner Davis seconded the motion and the motion carried 5-0.

International Residential Code (Tiny Houses)

Commissioner Emami stated he would like for Jeremy Head with Charles Abbott to explain this item. He stated he would be recusing himself from the vote on the topic.

Jeremy Head with Charles Abbott stated without the guidelines from Appendix Q of the IRC code pertaining to Tiny Houses the building inspectors have no way of inspecting tiny homes. He stated for the building inspectors to use these guidelines they must be adopted by the County.

Commissioner Ambrose motioned to adopt Appendix Q of the IRC contingent on the County Attorney's approval.

Commissioner Rowland seconded the motion for discussion.

County Attorney Ben Vaughn stated this is minimum standards for inspection.

Following a Board discussion, the motion carried 3-0-2 with Chairman Tapley abstaining and Commissioner Emami recusing himself from the vote.

Recreation ADA Equipment

Several months back, the Board of Commissioners authorized the Recreation Department to advertise request for proposals for the addition of ADA compliant playground equipment, and the resurfacing of one of the fields at the Recreation Facility.

Four Companies responded.

Landon Sparks presented for the ADA equipment.

Commissioner Davis motioned to approve the request.

Commissioner Ambrose seconded the motion and the motion carried 5-0.

Recreation LED Lighting

Last Fall the Recreation Department advertised for requests for proposals for LED lighting at the Recreation Facility. Bids were received, evaluated, and eventually all bids were rejected due to inconsistencies in the proposals. At the request of the Board of Commissioners, a second round of bidding has been undertaken.

Four companies responded.

Landon Sparks presented the LED lighting bids

Commissioner Ambrose motioned to approve the bid for the LED lighting with Cornatzer and Associates in the amount of \$202,625.

Commissioner Rowland seconded the motion and the motion carried 5-0.

Recreation Road & Parking

Several months back, the Board of Commissioners authorized the Recreation Department to add additional temporary parking and a temporary road from the main recreation facilities through the adjacent vacant land with an exit on Fairview Church Road.

The Recreation Department working jointly with Public Works have obtained cost estimates to address the Board of Commissioner' request for additional parking and a second exit from the recreation facilities.

Landon Sparks presented for the Recreation Road & Parking.

Mr. Sparks requested to use Daniel Sosebee to clear cut a path to install a new entrance and road from Fairview Church Road to the existing parking lot along with an area for overflow parking at a cost of \$15,000 and for the Road Department to finish the project with necessary pipe and aggregate with an associated cost of \$4316.90 and \$45,766.00 for a total project cost of \$65,082.90.

Commissioner Ambrose motion to approve the request.

Commissioner Davis seconded the motion and the motion carried 5-0.

Road Rating Proposal

Last December, when the Board of Commissioners authorized several roads for the 2022 LMIG project, Commissioner George Emami requested an in-depth evaluation of all roads in Monroe County to GDOT specifications if possible. Kim Stokes, our Road Consultant, reached out to Neel-Schaffer, Inc., a multi-disciplined engineering firm that ranks as one of the largest privately held, employee-owned engineering firms in the South. Chris Dills is a former Assistant District Maintenance-Asset Manager for the Georgia Department of Transportation, District 2 specializing in pavement preservation and developing pavement management plans. This plan would consist of mapping, data collection through observation and reporting. This would be a comprehensive evaluation that will identify pavement areas broken down into roadway segments.

This third-party evaluation will be far superior to what can be developed in-house and will provide the way forward for the implementation of funding from TSPLOST.

Commissioner Ambrose motioned to authorize the Chairman to sign the contract with Neel-Schaffer for professional services for the pavement rating and planning of Monroe County roads and authorize issuance of a Notice to Proceed.

Commissioner Emami seconded the motion for discussion.

Commissioner Rowland stated this would be an independent and unbiased opinion on the roads and the most prudent path.

The motion carried 5-0.

APRA Purchases

During the presentation of the 2022 budget, I pointed out that there may be an opportunity to utilize ARPA funds for the purchase of an ambulance, and the purchase of SCBA equipment. At the time of the budget presentation, funds allocated to Monroe County were restricted; however, both the U.S. Senate, and U. S. House of Representatives were supportive of relaxing the use of ARPA funds. The U.S. Department of Treasury recently released their Final Rule on the use of ARPA funds with relaxed rules enabling Monroe County to purchase an ambulance and SCBA equipment from our allocated share of ARPA funds.

Commissioner Ambrose motion to proceed with the allocation of \$1 million from ARPA and authorize the purchase of an ambulance and SCBA equipment.

Commissioner Rowland seconded the motion and the motion carried 5-0.

The Board took a 10-minute recess at 5:50 P.M.

The Board reconvened at 6:00 P.M.

Hospital Board Appointment

At the request of the Board of Commissioners, Max Brown, Chairman of the Monroe County Hospital Authority has identified four doctors that meet the requirements for the physician seat on the Hospital Authority. The requirements include, be a medical doctor, have privileges in good standing at the Monroe County Hospital, and be a resident of Monroe County. The identified doctors are as follows:

- Dr. Jeremy Goodwin-stated would not have time with all his other obligations.
- Dr. Craig Caldwell-stated that he would be willing to serve.
- Dr. Alec Ridley-stated that since he works fulltime for the Veterans' Administration in Macon and only helps occasionally at the Monroe Hospital, he would not feel comfortable being on the Hospital Authority.
- Dr. John Rogers-states that he consulted with the Schumacher Group, his employer, and his company believes that the hospital contracts with the Schumacher Shumaker Group to provide emergency department physicians and they have advised him there would be a conflict of interest.

Commissioner Davis motioned to re-appoint Dr. Caldwell.

Commissioner Ambrose seconded for discussion.

Mac Brown and Lorraine Smith were present on behalf of the Hospital Authority.

Commissioner Ambrose stated new bylaws were needed specific to Monroe County Hospital, the ones currently in place were created prior to Atrium Health.

Following a discussion, the motion carried 5-0.

Justice Center Furniture

District Attorney Jonathan Adams has requested two new tables and 10 chairs for the Justice Center Courtroom to replace the existing furniture that was soiled, unstable and table legs unsecured. Total cost is \$5,735.00.

This is an unbudgeted expenditure and funding will come from contingency.

Commissioner Ambrose motioned to approve the request.

Commissioner Rowland seconded the motion and the motion carried 5-0.

Board of Assessors' Appointment

The appointment term of Ms. Gina Davies on the Monroe County Board of Tax Assessors will expire on February 15, 2022. Ms. Davies is the newly appointed Vice-Chairperson of the BOA and the recommendation from the BOA is to reappoint Ms. Davies to a three-year term.

Commissioner Ambrose motioned to reappoint Ms. Davies.

Commissioner Emami seconded the motion and the motion carried 5-0.

Surplus Vehicles, Meters, and Scrap

There is a significant number of old vehicles, Public Works equipment, scrap metal at the landfill, and the need to remove the old leachate tank which can be sold as scrap.

Commissioner Ambrose motioned to approve the surplus list (attached) with the removal of the boom mower.

Commissioner Emami seconded the motion and the motion carried 5-0.

P&Z Hearing-Pate Road-Variance

Commissioner Ambrose motioned to move into a public hearing at 6:24 P.M. for a variance at 153 River Road

Commissioner Davis seconded the motion and the motion carried 5-0.

Zoning Officer Kelsey Fortner presented an application for a variance located at 153 River Road, Map 087 Parcel 008. The applicant and property owners are Steven and Kathryn Bertram.

The Bertram's were present on behalf of the application.

Ms. Fortner stated the variance is for the parceling out of less than the required minimum of 10-acres on a private road as well as the required minimum in an agriculture zoning district. The request is for a 2-acre tract for an immediate family member to purchase and build a home.

No one was present in opposition of the request.

The Planning and Zoning Board recommended approval of the application.

Commissioner Ambrose motioned to move out of the public hearing at 6:36 P.M.

Commissioner Rowland seconded the motion and the motion carried 5-0.

Commissioner Ambrose motioned to approve the application.

Commissioner Davis seconded the motion and the motion carried 5-0.

P&Z Hearing-River Road-Variance

Commissioner Emami motioned to move into a public hearing for a variance at 112 Pate Road at 6:27 P.M.

Commissioner Ambrose seconded the motion and the motion carried 5-0.

Zoning Officer Kelsey Fortner presented a variance request for a proposed garage to encroach the side property line by 5' located at 112 Pate Road, Map 102C Parcel 024. Ms. Fortner stated the property owner and applicant is Michael Dykes. Mr. Dykes was present on behalf of the application.

Ms. Fortner stated the Planning & Zoning Board recommended approval of this application.

No one was present in opposition.

Commissioner Ambrose motioned to move out of the public hearing at 6:30 P.M.

Commissioner Emami seconded the motion and the motion carried 5-0.

Commissioner Ambrose motioned to approve the request.

Commissioner Rowland seconded the motion and the motion carried 5-0.

P&Z Hearing-Hwy 83 South-Variance

Commissioner Emami motioned to move into a public hearing at 6:30 P.M for a variance located at 4704 HWY 83 South.

Commissioner Ambrose seconded the motion and the motion carried 5-0.

Zoning Officer Kelsey Fortner presented a variance request to split a 5-acre tract into two 2.5-acre tracts to build another dwelling located at 4707 HWY 83 South, Culloden, Ga, map 020 parcel 030. Ms. Fortner stated the property owner and applicant is Scott Bowden & Michelle Bowden Fair. The applicants were present on behalf of the application.

No one was present in opposition.

Commissioner Ambrose motioned to close the public hearing at 6:30 P.M.

Commissioner Davis seconded the motion and the motion carried 5-0.

Commissioner Ambrose motioned to approve the request.

Commissioner Rowland seconded the motion and the motion carried 5-0.

P&Z Hearing-Brownlee Road-Rezoning & Conditional Use

Commissioner Emami motioned to move into a public hearing at 6:34 P.M. for a rezoning and conditional use at 2971 Brownlee Road.

Commissioner Ambrose seconded the motion and the motion carried 5-0.

Zoning Officer Kelsey Fortner presented a rezoning and conditional use application located at 2971 Brownlee Road, Map 024 Parcel 039D. Ms. Fortner stated the applicant is Brandon Shannon and the property owner is Ronnie Shannon. Ms. Fortner stated Mr. Shannon is requesting to rezone at minimum 1-acre to commercial with a conditional use for a trucking operation. A second conditional use is required due to the agriculture and residential property within 300' of this parcel.

The Planning and Zoning Board recommended denial of this application due to Brownlee Roads condition and use.

No one was present on behalf of the application.

Gary Womble, resident of 971 Garr Road, spoke in opposition stating he lives directly behind the property and his mother lives beside it. He stated he is not opposed to the applicant having a shop to work on his truck, but he has a problem with a trucking business that is 600 to 700 feet behind his house.

Steve Okelley, resident of 3131 Brownlee Road, spoke in opposition stating there are currently two houses on one five-acre lot and now he wants to do another trailer with a commercial building. He stated there is a junk yard right down the street from us and we just want it cleaned up, this is going to add to what we don't want in the area. He stated he knows the land next door will not perk and the house on there now is having trouble perking and if a bathroom is added to the shop, it will not perk. The grade of the property goes down toward the creek and if oil spills it is going straight to the creek. Mr. Okelley stated we don't want to hear the noise and we don't want a commercial property next door. He stated there are "no truck" signs on both ends of the road and the roads are not built for trucks.

Gary Bishop, resident of 3173 Brownlee Road, stated this will set a precedent for Brownlee Road if this is approved.

Commissioner Ambrose motioned to move out of the public hearing at 6:46 P.M.

Commissioner Emami second the motion and the motion carried 5-0.

Commissioner Ambrose motioned to deny the application.

Commissioner Davis seconded the motion for discussion.

Commissioner Rowland stated his reason for denial is section 94-413 and section 91-104, excessive and burdensome usage of streets.

Following a Board discussion, the motion to deny passed 4-1 with Commissioner Davis opposed to the denial.

Subdivision Plan-Piedmont Forestry

Zoning Officer Kelsey Fortner presented a preliminary subdivision plat requested by Piedmont Forestry, LLC., located at the intersection of Hopewell and Texas Lane. Ms. Fortner stated the total acreage is 231 Acres and the number of proposed lots is twelve.

Chris Bryant was present on behalf of the application stating the plan was to divide the property into plus or minus twelve tracts that are each greater than twelve acres so the purchaser can stay in CUVA and build a home.

Commissioner Emami motioned to approve the preliminary plat stating any further divisions would have to come before the Board.

Commissioner Davis seconded the motion and the motion carried 5-0.

Subdivision Plat-Burchwood Plantation

Zoning Officer Kelsey Fortner presented the Burchwood Plantation final plat for approval. Ms. Fortner stated the subdivision is located off Zebulon Road and came before the Board in October of 2020 as a preliminary plat. Ms. Fortner stated six of the lots in the subdivision are in Monroe County.

Tom Ward was present on behalf of the request.

Commissioner Emami motioned to approve.

Commissioner Rowland seconded the motion and the motion carried 5-0.

Illegal Housing

Commissioner Emami stated he has been working on getting some new codes passed to help the county with blight, run down properties, trash and things of that nature. He stated after four years of being a commissioner and following recent events, he feels strongly that some action needs to be taken to get a handle on things especially in the High Falls area. He stated as of today, we are about to serve notice that we are about to start enforcing laws that we have currently on our books that if you live in in a camper in Monroe County that has not been permitted as a legal residence you will need to find somewhere else live. He stated you are not allowed to live in an RV in Monroe County legally. He stated this will start immediately unless there is a public outcry that wants this law reversed but he does not think this is the case. Commissioner Emami stated he is seeking to start a task force of churches, not profits, business partners and other individual advocates to assist with the needs with displaced individuals and families. He stated he does not believe it is the county's responsibility to help these people, he stated he is committing a donation of \$5,000.00 from me and my wife to guiding and helping displaced individuals.

Commissioner Ambrose stated this is not just a District 4 problem it is county wide.

Commissioner Rowland stated just to reiterate this is not a new law, it is already sitting on the books.

Old Business

Commissioners' Comments

Commissioner Ambrose stated he would like to point out the change of hours on Saturday at the recycle centers was not done to save money it was done at the request of the center attendants because they didn't want to work 12-hour days. He stated he would like to take the savings and use it to increase the pay for the center attendants to \$9.00 per hour.

The Board discussed the request and asked County Manager Jim Hedges to get the information together and bring back to the Board.

Commissioner Davis stated after the last meeting there was a big uproar regarding not reappointing Hugh Cromer to the Board of Health. He stated he was willing to step down from the Board of Health in order to have Mr. Cromer reappointed.

Chairman Tapley reappointed Hugh Cromer to the Board of Health.

Commissioner Rowland stated he has been asked about McCowan Road and would like to let everyone know where the County is on paving it. He stated it was approved in 2019 to be paved in 2020/2021. Commissioner Rowland stated he began getting the right of ways and that became a difficult task, but he eventually got half of the right of ways. Then there were some emergencies in 2020 that postponed the project. He stated in January 2021, the weather postponed the project and then there was the mandatory landfill project that utilized the road department staff and it was October when that was finished. He stated it was brought up again in October and the thought was now we can do the whole project but the remainder of the right of ways would be needed.

Commissioner Rowland stated he is now working on getting the remainder of the right of ways.

Chairman Tapley stated he would like the Board to know that in the future he does not plan to vote on anything unless he has had a chance to review it prior to the meeting. He stated he will not vote against; he will just abstain from the vote.

Public Comments

James Beavers, resident of 2757 Boxankle Road, asked if it was possible to use a laser pointer on the presentations to show exactly what they are talking about and asked if the County had anything planned for Black History month.

Executive Session (Real Estate litigation)

Commissioner Ambrose motioned to move into executive session for Legal at 7:21

Commissioner Davis seconded the motion and the motion carried 5-0.

Commissioner Emami motioned to move out of executive session at 7:45

Commissioner Ambrose seconded the motion and the motion carried 5-0.

Action from Executive Session

Commissioner Ambrose motioned to recommend the county file unsafe property action against 9887 Lassiter Road and 5999 Hwy. 42 South.

Commissioner Rowland seconded the motion and the motion carried 5-0.

Adjourn

Commissioner Ambrose motioned to adjourn at

Commissioner Davis seconded the motion and the motion carried 5-0.7: 47

Respectively Submitted by:

County Clerk, Janet Abbott