

Monroe County Board of Commissioners

Minutes of the May 03, 2022

Regular Commissioners Meeting

6:00 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 Rowland 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 6:00 P.M.

New Business

Approve Agenda

Chairman Tapley presented the agenda for approval.

Commissioner Ambrose motioned to approve the agenda.

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

Approve Minutes-BOC Meeting-April 19, 2022, Regular Meeting-April 20, 2022, Workshop

Commissioner Ambrose motioned to approve the minutes of the April 19, 2022, Regular meeting and the April 20,2022, Workshop meeting with the usual 30 days for changes.

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

Recreation Dept. Playground Borders-Surplus

The Recreation Department is starting the playground surfacing and no longer need the borders surrounding the playground. Family Connection has indicated they can re-use the borders in their Community Garden project. County Manager Jim Hedges stated the Board needs to declare the borders surplus and decide if they would like to auction, sell by sealed bids, or donate to Family Connections.

Commissioner Ambrose motioned to approve to surplus.

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

Commissioner Ambrose motioned to donate the borders to Family Connections.

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

RV Enforcement Moratorium Extension

County Attorney Ben Vaughn stated at the regular meeting on February 15, 2022, the Board motioned and passed a 90-day moratorium of citing with a warning citation for anyone operating as on illegal campground or in violation of the Monroe County code regarding an RV. The 90-day moratorium expires on May 15, 2022.

Attorney Ben Vaughn reviewed the resolution and the stipulations.

Following a Board discussion, Commissioner Ambrose motioned to approve the resolution to extend the RV moratorium for 90 days or until August 9, 2022.

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

Sutton Consulting-Lost Consultant

The County has notified the municipalities that renegotiation of the LOST distribution will begin May 1, 2022. Informal feedback from the municipalities is they will seek an increase in their share of the LOST proceeds. The eight criteria calculations are complicated, and it is my recommendation we engage the services of a LOST consultant to assist the county in determining our calculated share of the proceeds.

The Sutton Consulting Group led by Mr. Phil Sutton is recognized by both ACCG, and GMA as a qualified consulting organization for the LOST negotiation process. County Manager Jim Hedges reached out to Mr. Sutton, and he has indicated he is already representing 13 counties in Georgia and would be available to offer his services to Monroe County. The normal fee for Mr. Sutton's services is \$18,000; however, given he lives in close proximity to Monroe County (Gainesville, GA.), his fee for Monroe County would be \$15,000.

Commissioner Ambrose motioned to offer to the City of Forsyth and the City of Culloden to keep the LOST percentages as is and if this is accepted the County would not hire the consultant.

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

P&Z Hearing-Rezoning/Conditional Use-Ward

Commissioner Ambrose motioned to enter a public hearing at 6:16 P.M. for a zoning application.

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

Zoning Officer Kelsey Fortner presented an application for a Rezoning/Conditional Use located at Hwy 41 South, Map 054, Parcel 015. The applicants are Kyle and Katie Ward, and the property owner is Day Spring Presbyterian Church.

Ms. Fortner stated the applicants are requesting to rezone 2.5 to 3 acres out of a 37-acre residential tract to commercial. This commercially zoned property would be utilized to construct a building to operate their existing business, Solid Rock Athletics, for tumbling/gymnastics. The conditional use is applied for the property being within 300' of any residential property. Ms. Fortner stated the property is located at the corner of HWY 41 South and Thornton Road and currently holds the Day Spring Presbyterian Church. Ms. Fortner stated the DOT had approved the driveway on Hwy 41.

Ms. Fortner stated the Planning and Zoning Board recommended approval with a condition that if the property is not utilized for this in a year, that the property revert to Residential.

Howell Newton stated he owns the property behind this property and intends on developing the property with residential homes. Mr. Newton stated he has no problem with the application but was asking what the setbacks would be and if there will be an evergreen barrier. Mr. Newton stated if the setbacks are 75 feet with a buffer, he has no opposition.

Kyle Ward, applicant, stated he would have the 75' setbacks, he stated he had no desire to be any closer. He stated he will be following the county code.

Commissioner Emami recused himself due to a potential conflict of interest.

George Emami asked as a citizen, 106 Chase Lane resident, wants to make sure there is as much buffer as possible. He will be developing the property behind the property that Mr. Newton was referring to.

Mr. Ward responded they would be honoring the 75' setbacks.

Commissioner Rowland motioned to come out of the public hearing at 6:37 P.M.

Commissioner Davis seconded the motion and the motion carried 4-0-1 with Commissioner Emami recused from the vote.

Commissioner Ambrose motioned to approve the application with the conditions of down cast lighting and to go with the Zoning Board's recommendation that if the property isn't used in a year, it will revert back to residential.

Commissioner Rowland seconded the motion and the motion carried 4-0-1 with Commissioner Emami recused from the vote due to a potential conflict of interest.

P&Z Hearing-Rezoning/Variance-Johnson

Commissioner Ambrose motioned to enter a public hearing at 6:39 P.M. for a rezoning/variance application.

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

Zoning Officer Kelsey Fortner presented a Rezoning/Variance application located at 263 Mayfield Road, Map 038 Parcel 012A. The applicant is Bernard Johnson, and the property owners are Bernard Johnson and William Hindsman.

Ms. Fortner stated the applicant is requesting to rezone 5.5 acres to RM Zoning for a campground. The campground will be for the personal use of family and not open to the public. Mr. Johnson would utilize the campground as a true campground with no one staying over 30-days as the Monroe County ordinance states. Ms. Fortner stated no more than 7-8 recreational vehicle will be on the property at a time. Ms. Fortner stated the variance is for less than 25-acres which is the minimum for this type of project.

Ms. Fortner stated the Planning and Zoning Board recommended approval with the following conditions:

1. Maintain a buffer
2. Maintain your ingress and egress
3. Strictly family members at all times
4. Not be used for commercial business

No one was present in opposition to the application.

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

Commissioner Ambrose stated he is not sure with the current moratorium on RV's and the UDO coming up that any applications like this should be approved.

Mr. Johnson stated his family has been doing this for years and his family just wants to enjoy the property that backs up to the river.

Commissioner Emami stated he is not sure this is required for what the applicant is asking for.

County Attorney Ben Vaughn stated the ordinance states a campground is two or more spots so when Mr. Johnson poured eight concrete pads, he then created a campground.

Ms. Johnson spoke stating she would like to reiterate that no one can get on this property without a key from them.

Mr. Vaughn stated if the Johnson's would like to table this application and re-apply for a conditional use in agriculture, the zoning would not have to be changed for the property.

The applicant withdrew the current application and will re-apply for a conditional use.

Commissioner Davis expressed his frustration with the process and the application not being approved.

Chairman Tapley stated Ms. Fortner can re-submit the process and the application will be on the next agenda.

Commissioner Ambrose motioned to close the public hearing at 7:08 p.m.

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

P&Z Hearing-Conditional Use Violation-Jr. & Sons (Deferred)

The public hearing for the conditional use violation located at 394 High Road, Map 014, Parcel 006H, property owner and applicant Oscar Johnston, was deferred due to prior scheduling conflicts with the applicant's attorney.

5-minute break

Alcohol License-New Owner-Aslam Syed

Zoning Officer Kelsey Fortner presented an alcohol license for Aslam Syed. Ms. Fortner stated this is an existing store with new owners located at 4946 High Falls Road which is at the corner of Boxankle Road and High Falls Road. This requires a new license which requires board approval. Ms. Fortner stated the ads have been ran and the background check was clear.

Commissioner Ambrose motioned to approve.

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

Alcohol License-Additional License-Dentavious Traylor

Zoning Officer Kelsey Fortner presented an alcohol license for Dentavious Traylor for Stixx Lounge located at 14 Shaw Ave. Ms. Fortner stated the applicant already has a Malt Beverage Package, Malt Beverage pouring, Wine Package and Wine Pouring License. Mr. Traylor is requesting to add a Distilled Spirits in a Private Club license.

Ms. Fortner stated should this be approved; this would require Mr. Traylor to submit a certified letter from a certified CPA to show proof that 50% of the sales are food. This will be submitted at this time, should you approve and every year at renewal of his alcohol licenses. Ms. Fortner stated the ads have been run and the background check was clear.

Commissioner Emami motioned to approve.

Commissioner Ambrose seconded the motion.

Commissioner Rowland stated he and Mr. Davis have had neighbors contact them with complaints regarding this location. Commissioner Rowland stated he had asked the Sheriff if there had been very many incidents from this location. Commissioner Rowland stated the sheriff stated there had been 37 total calls, but he was not sure what the time frame for these calls were.

Commissioner Davis stated he had a conversation with Mr. Traylor and Mr. Traylor had stated it was mostly the cars going up and down the road, it was not his property.

Commissioner Ambrose asked what the process was for revoking a license.

County Attorney Ben Vaughn read the code regarding revocation of a license.

Commissioner Rowland stated he would like the business owner to be put on notice that he needs to handle the problems the citizens are having with this property.

The motion passed 5-0.

McCowan Road-ROW-Resolution

County Attorney Ben Vaughn stated the remaining rights-of-ways on McCowan Road have been obtained and the Board now needs to accept them by resolution.

Commissioner Ambrose motioned to approve the resolution.

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

MCES Vehicle Purchase

County Manager Jim Hedges addressed the Board stating Monroe County Emergency Services utilizes a 2016 Ford F-350 with 140,000 miles that has a fuel economy of 8.6 mpg. The ideal use for this vehicle is to move the truck to the High Falls Station where it will be utilized to pull the dive trailer and boat, and to carry equipment used in search and rescue, regularly utilized on the walking trails at High Falls.

Mr. Hedges stated a new replacement purchase of a 2022 Chevrolet Silverado 1500 4x4 is held on reserve by Volume Chevrolet in Forsyth at a cost of \$47,259. The funding would come from the MCES-2019 SPLOST funds.

Commissioner Ambrose motioned to approve.

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

Old Business

There was no old business discussed.

Commissioners' Comments

Commissioner Davis motioned to donate \$1000 of his discretionary funds and \$1000 from Chairman Tapley's discretionary funds to go towards the Monroe County Sheriff's Office youth camp.

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

Commissioner Emami stated he would like to have the scope of work posted for High Falls Fire Station so that applicants can send in proposals.

County Manager Jim Hedges stated this will be on the May 17th meeting.

Chairman Tapley stated Bolingbroke Community Club hosted a lunch today that allowed the Commissioners to come and stated he is proud of the club and the area.

Public Comments

Hugh Cromer, resident of 217 Newton Drive, stated the recreation department is going to have another baseball tournament with 6 or 8 teams from out of town. Mr. Cromer stated he was inquiring about the netting.

County Manager Jim Hedges stated they have been ordered.

Executive Session (Real Estate & Personnel)

Commissioner Davis motioned to move into executive session for at 7:47 p.m.

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

Commissioner Ambrose motioned to move out of executive session at 7:58 p.m.

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

Action from Executive Session

County Attorney Ben Vaughn gave a summary of Executive Session stating the Board discussed a potential Real Estate transaction, but no action needs to be taken and this will be brought back later, and a personnel matter was also discussed.

Commissioner Ambrose motioned to make part-time employee Lisa Holthaus at Animal Control a full-time employee with benefits.

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

Adjourn

Commissioner Ambrose motioned to adjourn at 8:03 p.m.

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

Respectively Submitted by:

County Clerk, Janet Abbott