

Monroe County Board of Commissioners

Minutes of the August 01, 2023

Regular Commissioners Meeting

6:00 P.M.

Present:

Greg Tapley, Chairman

Eddie Rowland, Vice-Chairman

Lamarcus Davis, District 1

John Ambrose, District 3

George Emami, District 4

Staff:

Benjamin Vaughn, County Attorney

Jim Hedges, County Manager

Janet Abbott, County Clerk

Richard Dumas, Public Information Officer

Kelsey Fortner, Community Development Manager

Welcome

Chairman Tapley welcomed everyone in attendance.

Prayer

Reverend David Blalock with Mt. Pleasant Baptist Church in Barnesville gave 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 with the addition of Three Rivers Regional Commission DRI for the proposed development in Butts County as Letter I.

Commissioner Rowland motioned to approve the agenda with said changes.

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

Approve Minutes-BOC Meeting-July 11, 2023, Regular Meeting

Commissioner Emami motioned to approve the minutes of the July 11, 2023, Regular meeting with the normal 30 days for changes.

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

P & Z Hearing-Conditional Use-Cody Fountain

Commissioner Ambrose motioned to open a public hearing at 6:03 p.m. for a Rezoning/Conditional use application in residential. The rezone to commercial is for the use of a thrift/clothing store and kitchen for the less fortunate.

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

Community Development Manager Kelsey Fortner presented a rezoning/conditional use application in residential for applicant/property owner Cody Fountain and New Beginning Pentecostal Church. The property is located at 860 Indian Springs Drive, Map F04 Parcel 054.

Mrs. Fortner stated the request is to rezone to commercial for the existing church on the lot to be utilized as a thrift/clothing store and a kitchen for the less fortunate. Conditional uses are in place for 300' of the residential property and to have the apparel store and utilize the church's existing kitchen. Mrs. Fortner stated commercial zoning allows the thrift/clothing store and lunch counter. Neither Residential nor Agricultural zoning have these options. Due to the Commercial and Industrial zoning to the north, spot zoning would not take place. Cody Fountain was present on behalf of the application.

Mr. Fountain stated the thrift/clothing store would not be in operation every day and would like to stay in line with the local thrift/clothing stores. The store will most likely be in operation on Tuesday, Thursday, Friday, and Saturday from 8 am until 5 pm.

Mr. Fountain is currently working with the Department of Health in taking classes for certification for food serving and at this time the kitchen would be trial and error to see how it works. The thoughts for now are a possible cook-out once a month and a soup kitchen.

No one was present in opposition to the application.

Mrs. Fortner stated the Planning and Zoning Board recommended approval.

Commissioner Ambrose motioned to close the public hearing at 6:08 p.m.

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

Commissioner Ambrose motioned to approve.

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

P & Z Hearing-Conditional Use-Donny's Propane

Commissioner Ambrose motioned to open a public hearing at 6:08 p.m. for a conditional use application in commercial.

The conditional use application is for a professional office in commercial zoning.

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

Community Development Manager Kelsey Fortner presented a conditional use application in commercial for applicant/property owner Donny's Propane Gas located at 6931 Hwy 41 South Map 102 Parcel 047.

Mrs. Fortner stated the request is to build a 6,000 sq. ft. building for a professional office building to operate Donny's Propane Gas. This lot is within 300' of residentially zoned property.

Ms. Fortner stated the proposed request has a 6' perimeter fence and a minimum parking space requirement of 17 spaces (requirement met) and the existing curb cuts will be utilized.

The property owner/applicant stated there would be no underground tanks and the septic tanks from the previous mobile home park have been removed. There will be no industrial tanks. There will be a paved front parking lot and gravel in the back. The property owner wants a non-industrial look, with no commercial lighting. Plans are to leave vegetation unless some is taken down due to septic area. The hours would be Monday through Friday from 8:00 am until 5:00 pm. The drivers take the trucks home, so if after hour calls come in, they would be dispatched from their homes. There will be a personal tank on site that is 8' long by 36" tall. There will be no perimeter lights, with a sign to resemble Country Oaks.

The applicant Adam Segers, General Manager Donny's Propane, was present on behalf of the application. Mr. Segers stated the points brought forward are valid and he feels as though having someone in the spot that is from Monroe County makes it better. They are willing to do what it takes. Mr. Segers stated they are trying to be very neighborly and have no intentions for the remaining property.

The following people spoke in opposition:

- Stacey Nestor, resident of 1140 Klover Road would like assurances that any future expansion at the site would require a public hearing, and this would be part of the application.
- Garret Gordon, resident of 150 Heritage Drive opposed no commercial establishments in the location. He stated this property is located in the middle of two subdivisions.

- Judd Scroggs, resident of 521 Heritage Drive, stated he would like to make the point that there is a slight difference between the property being used as a mobile home park and a retail space or warehouse space.
- Mary Katherine Sheffield-Scroggs resident of 521 Heritage Drive, asked why the property is set so far to one side if they are not planning on selling the rest of the property.

Applicant Adam Segers replied if we move to the opposite side we must go to the DOT and ask permission for another drive. Mr. Segers stated we are trying to create a circle drive for people coming and going and requires less grading work for the site on the plans. He stated the soil test didn't pass on the opposite side but passed on the side being presented. Mr. Segers stated the flow of the land goes toward the right side in case a retention pond is needed.

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

- 50' buffer from property lines to fence
- No commercial lighting (Gas lighting for employees and porch are okay)
- Should a retention pond need to be placed Planning and Zoning wants it to come back before them.

Commissioner Emami motioned to close the public hearing at 6:52 p.m.

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

Following a Board discussion, Commissioner Ambrose motioned to approve with the following conditions:

- no industrial tanks with propane for commercial sales will be stored on the property other than the tank used for the building itself,
- no commercial business hours beyond 8-5 Monday through Friday,
- no commercial lighting (gas lighting for employees and porches are okay.)
- if a retention pond is needed the plans are to come back before the board,
- a maximum square foot of 6000 heated and cooled for the main building and 2000 max sq. ft. for a secondary storage building and it must match the main building,
- a 6-foot fence that would either have privacy slats or trees for a buffer,
- a 50-buffer vegetative buffer be left from its surrounding fence to the property line.

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

Chairman Tapley called for a 2-minute break at 7:01 p.m.

P & Z Hearing-Conditional Use-Randall Hawkins

Commissioner Ambrose motioned to open a public hearing at 7:05 p.m. for a conditional use application in Agricultural for a trucking business (family) to be held on their property.

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

Community Development Manager Kelsey Fortner presented a conditional use application in agricultural for property owner Barbara Hawkins and applicant/property owner Randall Hawkins located at 488 Old Union Gin Map 061 Parcel 023. Mrs. Fortner stated the request is for a conditional use application to allow the applicant to park trucks (up to 4) on the lot at the back of the 24.4-acre property. The trucks will be driven by family members, no maintenance will be performed on site, and the trucks are empty when they return to the lot with a weight limit of around 26,000 to 30,000 lbs. Mrs. Fortner stated the current driveway will be extended to the back of the property.

The property owner/applicant stated when the trucks leave out; they are usually gone for 2-3 weeks at a time. When the trucks return to the property, they are empty. When the trucks are placed in the back of his property, they are unable to be seen from the road.

Randall Hawkins and Tracey Hawkins were present on behalf of the application.

Randall Hawkins stated he had a stroke last year and can't run the business, his sister is running the business for now and he would like for her to be able to park her truck and trailer there. He stated he has lived at this address for 19 years. He stated he has three other trucks he intends to sell but would like to park them at this location until they are sold.

Present in opposition:

- Jamie Bussell, resident of 452 Old Union Gin stated he had submitted a petition to the Community Development Department signed by several residents in opposition. He stated he would love for the trucks to be in the back but over the years they haven't made it that far. He stated there is a ravine in the back and Mr. Hawkins is not going to be able to park the trucks in the back.

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

- The trucks must be empty when arriving at the property.
- When the trucks are leaving the property, they must turn left out of the driveway to head to Hwy 87, using the state route.

Commissioner Emami motioned to close the public hearing at 7:32 p.m.

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

Following a board discussion, Commissioner Emami motioned to deny stating Old Union Gin is not fit for truck travel and has a sign posted prohibiting truck traffic.

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

P & Z Hearing-Conditional Use-Brian Broun

Commissioner Ambrose motioned to open a public hearing at 7:42 p.m. for a conditional use application in commercial.

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

The conditional use application is for a convenience store with a fueling station.

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

Community Development Manager Kelsey Fortner presented a conditional use application in commercial for property owner Dipak Patel, B&D 2021, Inc. and applicant/property owner Brian Braun, Advanced Engineering Serv. LLC. located at 985 Hwy 42 North Map 040 Parcel 008A. Mrs. Fortner stated the request is for conditional use to allow a convenience store with fueling stations. Mrs. Fortner stated convenience stores with fueling stations are conditional use under commercial zoning. The proposed request would use the existing entrance and exit, and the DOT is requiring the entrance/exit be brought up to current standards. Commercial zoning districts are adjacent. The EPD has disclosed that any previous tanks have been removed from the ground and no further action is required. The parking space requirements for square footage have been met. A total of 37 spaces will be provided for the entire project.

Present in opposition:

- Robert Arnold, 101 Lightwood Lane in Old Oak Plantation, stated he would like a traffic study to be performed at the location before the application is approved. Mr. Arnold also stated he would like for there to be no big trucks allowed.
- Darren Latch, resident of 285 East Main Street stated there is an oversaturation of gas stations already and many of them have the same owner. He stated the local truck driving school already considers that exit ramp a dangerous intersection.

Brian Braun stated he had already met with the DOT to begin the permitting process for the location.

Mrs. Fortner stated the Planning and Zoning Board recommended approval.

Commissioner Ambrose motioned to close the public hearing at 8:02 p.m.

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

Commissioner Emami motioned to approve with the following conditions:

- no tractor trailer fueling for retail sales,
- The station's approval is contingent on meeting DOT traffic flow requirements.

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

P & Z Hearing-Variance-Annette Lucear

Commissioner Ambrose motioned to open a public hearing at 8:06 p.m. for a variance in residential.

The application is to place a house in the place of one to be demolished and to encroach on all setbacks due to the lot being small.

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

Community Development Manager Kelsey Fortner presented a variance in residential located at 41 Washington Drive Map F09 Parcel 018 for property owner Barbara Proctor and applicant/property owner Annette Lucear. The request is for a variance in residential. The applicant is going to demolish the abandoned house that currently sits on the lot and replace it with a livable home for the property owner. Due to the size of the lot being .09 of an acre, the home will not be able to dimensionally fit the setbacks of 50' front and back, 20' on the sides. The current size of the lot is 56' from side to side and 61' from front to back. City water and city sewer will be utilized.

There was no opposition present.

Mrs. Fortner stated the Planning and Zoning Board recommended approval.

Commissioner Ambrose motioned to close the public hearing at 8:10 p.m.

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

Commissioner Davis motioned to approve.

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

P & Z Hearing-Conditional Use-Jordin Harbin

Commissioner Davis motioned to open a public hearing at 8:11 p.m. for a conditional use application in agricultural.

The conditional use is to use a house that isn't an occupied dwelling for an online business.

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

Community Development Manager Kelsey Fortner presented a conditional use application in agricultural located at 1951 Dames Ferry Road Map 078 Parcel 062B. Property owner/applicant is Jordan Harbin. Mrs. Fortner stated the request is for conditional use for a professional office space for a business, Harbin Repairs, that will conduct an online business with employees at the location. Online businesses are allowed through your home, but this home will not be lived in. This is a separate location from the applicant/property owner's home and would have employees reporting to this location.

Mrs. Fortner stated the Planning and Zoning Board recommended approval with the condition that if sold, the conditional use shall not carry over.

Commissioner Ambrose motioned to close the public hearing at 8:15 p.m.

Commissioner seconded the motion and the motion carried.

Commissioner Ambrose motioned to approve with the condition the conditional use will not carry over if sold.

Chairman Tapley seconded the motion and the motion carried 4-0-1 with Commissioner Emami abstaining.

Three Rivers Regional Commission-Butts County Development DRI

Commissioner Emami stated several people in the North Monroe County area want to make sure their voices are heard and are strongly opposed to a proposed Butts County Development. Commissioner Emami stated the citizens are concerned about traffic flow, potential crime, and the environmental impact on High Falls State Park and on High Falls Lake.

Chairman Tapley stated as Chairman he also represents North Monroe County and it's his duty also to make sure the citizens are heard.

Commissioner Emami stated he feels like it would be valuable and would unify our voices if the Board makes a written resolution to make our position clear that we are opposed to an encroachment of that type of growth onto that residential neighborhood and onto a state park.

514 Brushy Creek Circle resident Betty Eskew addressed the board stating she is the president of the Brushy Creek Estates Homeowners Association, and she is concerned about fire and emergency services vehicles being able to enter and exit her subdivision if the proposed development is approved.

Following a Board discussion, Commissioner Emami motioned to approve a letter written by County Attorney Ben Vaughn and signed by all Board members, expressing Monroe County's objection to the proposed project as submitted in the DRI process by Three Rivers Regional Commission to be submitted by August 11th; and to draft a resolution to be approved at a future Board meeting stating the Monroe County Board of Commissioners objects to the project.

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

Commissioner Comments

District 1-Lamarcus Davis-Commissioner Davis stated he wanted to publicly thank the community for the participation at the school drive.

District 2-Eddie Rowland-Commissioner Rowland stated he is asking the Board's blessing on speaking with the group in charge of the Monroe County Clubhouse regarding moving the main polling location from the Admin Building to the Monroe County Clubhouse.

Commissioner Rowland stated he wanted to highlight the Conference Center. Candice Baswell and Sandra Sego do an excellent job of managing the Conference Center and its events.

Commissioner Rowland stated he wanted to give a shout out to the Chairman for being appointed as the Vice-Chairman of the National Association of Counties Agriculture & Rural Affairs Steering Committee for 2023-24.

District 3-John Ambrose-Commissioner Ambrose stated he would like to "floor" out the atrium in the Admin Building for more office space.

Commissioner Ambrose stated he thinks the carpet needs replacing at the conference center.

Commissioner Ambrose expressed his appreciation for Public Works during the extreme heat wave for continuing to move forward.

District 4-George Emami-Commissioner Emami expressed his appreciation to the Community Development Department, stating he recently received raving reviews from someone who recently done business with the Community Development Department for their kindness, helpfulness and respect compared to other counties.

Chairman Greg Tapley-Chairman Tapley stated he would like to state the County has a great team across the board.

County Attorney Ben Vaughn gave an update on the UDO. Mr. Vaughn stated the UDO will be on the Zoning Boards agenda for August 28th and on the Board of Commissioners agenda for September 5th. Mr. Vaughn stated along with the UDO, there will be the map, a resolution setting the Recreational Vehicle fee, and an adult entertainment ordinance. Mr. Vaughn stated if the Board had any comments regarding any of these please submit them to him.

Public Comments

There were no public comments.

Executive Session

There was no executive session.

Action from Executive Session

There was no executive session, therefore, no need for action.

Adjourn

Commissioner Emami motioned to adjourn at 8:36 p.m.

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

Respectively Submitted by:

Janet Abbott, County Clerk