

Monroe County Board of Commissioners

Minutes of the August 02, 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

Kelsey Fortner, Community Development Manager

Lorri Robinson, Finance Director

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 as submitted.

Commissioner Emami motioned to approve the agenda

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

Approve Minutes-BOC Meeting-July 12, 2022

Commissioner Emami motioned to approve the minutes of the July 12, 2022, Regular meeting with the usual 30 days for changes.

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

Capital Improvement Resolution-Bill Ross

The Board of Commissioners authorized the submission of the draft Capital Improvement Element to the Middle Georgia Regional Commission and the Georgia Department of Community Affairs for review to prior to the adoption of a resolution. Two minor recommendations were made and have now been incorporated into the final document.

County Manager Jim Hedges presented the final document to the Board for approval.

Bill Ross with Ross and Associates discussed the next steps in submission of the resolution.

Chairman Tapley read the resolution into the minutes.

Following a Board discussion, Commissioner Ambrose motioned to approve the resolution.

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

P&Z Hearing-Cell Tower-Rezoning

Commissioner Ambrose motioned to call a public hearing to order at 6:14 p.m. for a Rezoning/Conditional Use/Variance application located on Sanders Road.

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

Ms. Fortner presented an application for a rezoning/conditional use/variance located on Sanders Road, LL 161, 162, 179, LD 13.

Ms. Fortner stated the request is for a telecommunication tower, under conditional uses with a variance for the distance in agriculture. Telecommunication towers are a conditional use in agriculture zoning with a 300' setback to the property line, they are not a permitted use in residential zoning. Ms. Fortner stated this application will require a rezoning to agriculture from residential, a conditional use under agriculture zoning and a variance for being less than 300' from any property line.

The applicant is Leslie Carroll, Providence Consulting and the Property owner is Newberry Farms, LLC.

The Planning & Zoning Board recommended approval 3-0.

Ms. Carrol was present on behalf of the application.

Commissioner Rowland stated the Tax Assessors are going to require a one-acre platted lot for the tower and zoning will require three acres and in the eyes of the Tax Assessors it will be commercial.

David Newberry, property owner, stated this is personal property not used for business.

No one was present in opposition.

Commissioner Ambrose motioned to close the public hearing at 6:22 p.m.

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

Commissioner Ambrose motioned to approve the application.

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

P&Z Hearing-AVH Properties-Conditional Use

Commissioner Ambrose motioned to call a public hearing to order at 6:33 p.m. for a Conditional Use application located at 5065 High Falls Road.

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

Community Development Manager, Kelsey Fortner presented an application for a Conditional Use located at 5065 High Falls Road, LL 133, 136, LD4. The purpose of the application is the property is within 300' of residential and agriculture districts; the property itself is zoned commercial. The applicant and property owners' request are to utilize the property for self-storage, covered and open storage facility. Boat/RV/ATV and Car storage with an office building for daily operations. The proposed site will have a wash/disposal station and septic drain field for the ability to remove trash and sewage tanks.

The applicant is Latasha Watkins and Kevin Fields, and the property owner is AVH Properties, LLC. The applicant is represented by Jack Nichols and Kathryn Willis with James Bates Brannon & Groover LLP.

Ms. Fortner stated the Planning and Zoning Board recommended approval 3-0 with the following conditions:

1. Should blasting take place, the P&Z Office should be notified in advance, with plans.
2. No living on site in storage buildings or RV's
3. No 18-Wheelers on site
4. Contact the Butts County Water Authority about the water supply.

Kathryn Willis, Attorney for the applicant is present to represent. Ms. Willis stated they were originally contacted over a year ago by Ms. Watson. Ms. Watson stated Bryant Engineering also has two engineers present.

Latasha Watkins and Kevin Fields were present on behalf of the application.

Ms. Willis quoted 94.4.1 of the Monroe County Ordinance as for reasons for approval. Ms. Willis stated the property will be gated and the office employees will be on site from 9 a.m. until 5 p.m., Monday through

Saturday, there will be no 18 wheelers on site, there is potential for a ground water well, and a sewage-dump-wash station.

Commissioner Rowland asked about RV dumping.

Ms. Willis replied there would be a dump station, but it would only be for people using the storage facilities.

Commissioner Emami asked how tall the fencing would be.

Mr. Fields stated it would be six feet with one foot of barbed wire.

Commissioner Ambrose asked what size the buildings would be.

Mr. Fields stated the building will be 48,000 sq feet.

County Attorney Ben Vaughn asked Mr. Fields what the anticipated water usage per day will be.

Mr. Fields replied they had calculated 4600 gallons a day.

Al Crusan, resident of 217 Lakeshore Drive, stated they should put in two driveways, one coming in off High Falls Road and one going out on Buck Creek.

Kathryn Crusan, resident of 217 Lakeshore drive, stated she would like input on some of the things they are planning on doing. Ms. Crusan stated she is concerned about storm water, 18-wheelers, and asked will there be a privacy fence. Ms. Crusan stated the property is very unsightly, she continued they have cleared the property and no silt fence has been installed.

County Attorney Ben Vaughn stated they had cut the timber and under normal forestry practice this does not require silt fencing.

Chairman Tapley stated they harvested the crop of trees.

Engineer Jenny Caldwell with Bryant Engineering stated before any land disturbance takes place, a full erosion control plan will be developed. Ms. Caldwell stated as far as water usage the estimated 4600 gallons a day is from the wash down area, but she believes this an overestimate. She stated they have had a level 3 soil study done. She stated at the wash down area there would have an oil and water separator system.

Ben Vaughn stated he would like to put into record what he has marked as MC-1 which is the purchasing sales agreement for the Butts County Water and MC-2 a document from Joe Woods, County Engineer with Carter Engineering, giving the gallons per day and average usage

Jan Knect resident of 4097 Boxankle Road, stated she is neutral and has a question. Ms. Knect stated she is concerned about safety between midnight and 6 a.m., she stated a lot of things disappear and would like security explained a little more.

Mr. Fields replied they had spoken with a company that uses artificial intelligence to detect any motion on the property and if is determined there is a threat, law enforcement would be engaged. He stated they had also

spoken with the sheriff's office, and they had stated as long as there were lights on the property there should not be a problem.

Commissioner Davis motioned to close the public hearing at 7:13 p.m.

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

Commissioner Rowland stated he would like to strike the P&Z recommendation to contact Butts County, he stated that is the county's responsibility.

Commissioner Davis motioned to approve with the following conditions:

- No individuals living on site, strictly a storage facility.
- No 18 wheelers on site and that includes the tractor and/or trailers.
- Downward facing LED lighting.
- Should blasting take place, the P&Z Office should be notified in advance, with plans.

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

County Manager Jim Hedges stated he would like to point out there is a county owned well adjacent to the property that possibly the Board of Commissioners would entertain selling to the property owners.

Chairman Tapley adjourned for 5-minute break.

Reconvened at 7:26 p.m.

Board of Assessors' Reappointment

Mr. Robert Watson's term on the Monroe County Board of Assessors expires on July 31, 2022. Mr. Watson has served on the Assessors' Board for six years and would like to be reappointed for another three-year term. Chairman Tapley motioned to reappoint Mr. Robert Watson for an additional three-year term beginning August 1, 2022.

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

Sheriff Seized Vehicle Purchase

The Sheriff's Department has seized a 2018 Chevrolet Tahoe with 50,000 miles with a lien payoff of \$22,471.31. The market value for this vehicle is over \$39,000. The Sheriff recommends proceeding with the lien pay off with jail funds, and the vehicle will be assigned to jail staff. Given that this is an unbudgeted capital expenditure, Board approval is needed.

Commissioner Ambrose motioned to approve the purchase.

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

Public Works Vehicle Purchase

The Sheriff’s Department is purchasing a new 2022 Ford F-150 for \$36,000 from SPLOST funds and have a 2019 Ford F-150 4x4 trade-in appraised at \$31,500. Public Works would like to acquire the used Ford F-150 for the appraised value with funding from SPLOST and operations. Currently, Public Works does not have a 4x4 vehicle in their fleet.

Commissioner Ambrose motioned to approve with \$20,000 to come from SPLOST and the remaining will come from the other equipment in the Road Department budget.

The motion carried 5-0.

Taylor County Apparatus Purchase

Taylor County has approached Chief Matt Jackson regarding the purchase of our 2017 Freightliner with 37,448 miles for \$60,000. As information, this apparatus is a remount. The Board approved to surplus the old fleet as new apparatus is put in service, and this fits that requirement. Additionally, the highest offer we received as a trade-in was \$30,000.

The sale to Taylor County will be via an Intergovernmental Agreement and not require advertising.

Commissioner Ambrose motioned to approve the sale of the 2017 Freightliner to Taylor County.

Commissioner Davis seconded the motion for discussion.

Commissioner Emami stated he would like to wait two weeks and make sure we have a full fleet to man all stations before the county sells this truck.

The motion passed 3-2 with Commissioner Emami and Commissioner Rowland opposed.

Sheriff Training Facility

The Board of Commissioners authorized the advertisement for a design/build building for the Sheriff’s Training facility.

The following six companies submitted bids:

• Proform	Design-Build	\$492,750
• Tommy Gibson	Design-PreConst-Construction	\$527,040
• Bryson	Design-Build	\$560,250
• Albion	Design Fee-27.4% of project	\$273,987
• Sheridan Construction		8-12% Range
• RJB & Associates		Bid Incomplete

The buildout purpose is the existing facility has limited space for training and a new facility will enable investigators to conduct vehicle forensic examinations.

The project overview is:

- 40'x60' Building
- Bathrooms
- Office
- Rollup vehicle door

Mr. Hedges stated the way forward is to award the contract to Design/Build for the Sheriff Training Facility to Proform Construction, LLC.

Commissioner Ambrose motioned to award the contract to Proform Construction, LLC.

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

Records Storage Building

The Board of Commissioners authorized the advertisement for a design/build building for the storage of county records.

The following four companies submitted bids:

- | | | |
|--------------------|--------------|----------------|
| • Proform | Design/Build | \$392,750 |
| • Crown Service | | \$350,500 |
| • Bryson | Design/Build | \$435,750 |
| • RJB & Associates | | Incomplete Bid |

The buildout purpose is for Records Storage for the Sheriff’s Office, Clerk of the Superior Court, Finance Department, County Clerk’s records, and Historical Records.

The project overview is:

- 40'x60' building
- HVAC
- Sprinkler System

Mr. Hedges stated the way forward is to award the contract to Design/Build for the Records Storage Building to Proform Construction, LLC.

Commissioner Ambrose motioned to award the contract to Proform Construction, LLC.

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

Highfalls Fire Station

Advertisements for renovation and construction for the new High Falls Fire Station resulted in receiving only one bid from Proform Construction, LLC. The bid was for \$1,281,914 was submitted by Proform and with the previous expenditures for the purchase of the building and work conducted by Warren & Associates, if approved, this will bring the total expenditures for the High Falls Fire Station to \$1,719,709.

Mr. Hedges stated the way forward is to award the contract Proform Construction, LLC., for construction and renovation of the High Falls Fire Station.

Commissioner Ambrose motioned to award the contract to Proform Construction, LLC.

Commissioner Emami seconded the motion for discussion.

Commissioner Emami stated he would like to table for two weeks to allow him to listen to his taxpayers in his district before proceeding.

Commissioner Ambrose rescinded his motion and Commissioner Emami rescinded his second.

Commissioner Ambrose motioned to table the bid award for two weeks.

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

Surplus Funds

Mr. Hedges stated now that the 2021 audit is complete, and after Lorri Robinson presented a snapshot of General Fund Reserves at the June 21, 2022, Board of Commissioners' meeting, consideration should be given to allocating the Unassigned Fund Balance of \$6,439,775.

Mr. Hedges stated the options are:

- Increase Reserve Fund Policy balance to equal 3 months.
- Pay down debt.
- Reserve funds for the landfill.
- Establish Capital Expenditure Reserve
- Pay down "booked leave.

Following an extensive Board discussion, Commissioner Davis motioned to approve all items as presented and the pay down of booked leave will be voluntary, no more than 360 hours and not to exceed \$501,005.

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

Millage Rate Point Out

The 2022 Tax Digest is complete, and the Monroe County Board of Commissioners are required to establish the millage rate for 2022. There was considerable growth in the digest, along with re-evaluations. The options for the Board are to roll back taxes equal to the reevaluation, no rollback which equates to a tax increase, or to reduce or increase the millage rate.

Various options will be presented for consideration. If the millage rate is rolled back, or decreased, the action will only require the Tax Digest to be advertised once and hold one public hearing before approving the 2022 millage rate.

Mr. Hedges stated given the unknown cost of Group Health Insurance, Workers Compensation, and compensation to the Hospital, a reduction in the millage rate of $\frac{3}{4}$ mils is recommended.

Commissioner Emami stated he feels very strongly about having a budget that is not an increase over this year's budget. He continued to state that he has asked previously for an option that shows no additional expenditures and he would still like to see a scenario that taxes are not increased.

Commissioner Emami stated he will not vote for any budget that is increasing taxes.

Chairman Tapley asked each Commissioner what millage rate reduction they would be interested in seeing. Following an extensive Board discussion, Chairman Tapley, Commissioner Davis, Commissioner Ambrose, and Commissioner Rowland agreed to advertise a millage rate reduction of $\frac{3}{4}$ mill. Commissioner Emami was opposed.

Ratify Release of May 23, 2022, Executive Session Memo

Public Information Officer Richard Dumas addressed the Board in an email dated Monday July 25, 2022, stating "As public information officer and in an effort to provide the public with the most accurate county-related information as is possible, it is my opinion that the Board of Commissioners should publicly clarify the timeline of Ms. Fortner's promotion. The Monroe County Reporter stated on Page 1A of its July 20 edition that Fortner received a promotion and raise approximately a month after defending County Manager Jim Hedges in an email to other county employees. In order to clarify the timeline, the Board of Commissioners needs to release publicly a document written by County Manager Hedges that was considered "Personal & Confidential" in Commissioners' June 7 Executive Session packet. The document, dated May 23, 2022, recommends Fortner's promotion to the position of Community Development Manager, and also includes her proposed pay raise. District 2 Commissioner Eddie Rowland has offered to submit a letter to the editor to the Reporter that will explain more clearly the timeline of Fortner's hiring. In order for Commissioner Rowland to clarify this timeline, he will need to make reference to the confidential document to be discussed at the June 7 executive session. County Attorney Ben Vaughn has relayed to me that under Chapter 2, Article 5, Numbers 9-10 of the county's Ethics Policy, the document needs formal Board approval at the next Board meeting on Aug. 2 for its release. However, Vaughn said if a majority of Board members vote in the affirmative via this email to release the document today, Commissioner Rowland can move forward with submitting his letter to be run in the next reporter edition on July 27. Then the Board can later ratify their email decision at the Aug. 2 meeting."

Mr. Hedges stated the way forward tonight is to motion to ratify the release of the May 23, 2022, Executive Session Memo.

Commissioner Ambrose motioned to ratify the release of May 23, 2022, Executive Session Memo.

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

Old Business

There was no old business discussed.

Commissioners' Comments

Commissioner Ambrose stated he would like to make it known the County Manager did not spend one dime tonight, everything was voted on by the Board.

Commissioner Emami asked for an update on fire hydrants.

Mr. Hedges stated Road Superintendent Jr. Watts has assigned one of his employees with a truck and a tank of weed killer to inspect every fire hydrant, and issue work orders for broken hydrants to Jeff Dorough.

Public Comments

Kathryn Crusan resident of 217 Lakeshore Drive complained the county's zoning signs are not big enough for people to see.

Allen Gibbs resident of 3171 Zellner Road, stated his property taxes increase last year and the value of property is outrunning the millage rate.

Roz McMillan resident of 830 Klopher Road, read a statement expressing her displeasure with not being re-appointed to the RiverEdge Community Service Board and the way the situation was handled.

Marion McMillan, Jr. resident of 830 Klopher Road read a statement supporting his wife, stating his purpose was to lend support to his wife for the way she was treated regarding the RiverEdge Board appointment.

Jan Knect resident of 4097 Boxankle Road asked if there was a program to collect unpaid property taxes.

Jimmy Starling resident of 903 Pea Ridge Road addressed the Board regarding his unusually high-water bill.

David Brown resident of 40 Willow Way addressed the Board also regarding his water bill.

Fred Dungan resident of 293 Maynards Mill Road, spoke stating he likes Commissioner Ambrose idea of capping taxes for senior citizens.

Johnathan Pless resident of 15 Todd Creek Place thanked the Commissioners for their representation of the citizens of Monroe County.

Executive Session-Personnel

Commissioner Ambrose motioned to go into executive session for personnel at 10:02 p.m.

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

Commissioner Ambrose motioned to come out of executive session at 10:58 p.m.

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

Action from Executive Session

Following Executive Session, County Attorney Ben Vaughn gave an overview of what was discussed.

Mr. Vaughn stated two items regarding personnel were discussed. No action was taken regarding one, and the action item for the second one would be to approve the salary recommendations for the individuals present by the County Manager.

Commissioner Davis motioned to approve the salary recommendations presented by the County Manager.

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

Commissioner Davis motioned for the salary recommendations to be effective immediately.

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

Adjourn

Commissioner Davis motioned to adjourn at 11:00 p.m.

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

Respectively Submitted by:

Janet Abbott, County Clerk