

Monroe County Board of Commissioners

Minutes of the September 5, 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

Pastor Seth Hoover with Momentum Christian Church of Forsyth 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.

Commissioner Ambrose motioned to approve the agenda.

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

Approve Minutes-BOC Meeting-August 15, 2023, Regular Meeting

Commissioner Ambrose motioned to approve the minutes of the August 15, 2023, Regular meeting with the normal 30 days for changes.

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

Conference Center Carpet Replacement

County Manager Jim Hedges stated with regards to the recent discussion on replacing the carpet at the Conference Center, outlined below are key points for consideration:

- A bid bond guarantees compensation to the bond owner if the bidder fails to begin a project.
- O.C.G.A 13-10-20
 - Bid bonds shall be required for all state public works construction contracts with estimated bids or proposals over \$100,000; provided, however, that the state or any public board or body of the state may require a bid bond for projects with estimated bids or proposals of \$100,000 or less.
- Monroe County Purchasing Policy-The contract shall be awarded to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bids.
- Advertisement for Bid-All bids must be accompanied by a Bid Bond in an amount no less than 10% of the bid.
- Bid Package-All areas listed on diagram, commercial carpet tiles 2'x2' with rubber backing @ \$29.99/square yard (guess only until selection is made) 1,360 square yards.
- Georgia Flooring Outlet-\$60,604.42-Bid Bond for 5%, not 10%. The bid does not meet the requirements and criteria set forth in the invitation for bid and in accordance with the Monroe County Purchasing Policy should be rejected.
- M & W Flooring-\$75,000-No Bid Bond. The bid does not meet the requirements and criteria set forth in the invitation for bid and in accordance with the Monroe County Purchasing Policy should be rejected.
- Bonitz, Inc.-\$134,617-\$138,617.00. The bid bond of 10% provided. Bid does not indicate price per square yard. High bid.
- Burgess Flooring=\$68,452.94-Bid Bond of 10% provided. Bid complies with the advertisement for bid, Bid Package at \$29.99 per square yard, County Purchasing Policy, and is the lowest bid. In accordance

with the Monroe County Purchasing Policy, the contract shall be awarded to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bids.

Commissioner Rowland motioned to approve the bid from Burgess Flooring in the amount of \$68,452.94 with a 10% bid bond with funding to come from the 2020 SPLOST.

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

E-911 Upgrade

In July, both the Smarr and Justice Center cell towers were struck by lightning and basically fried all the top mounted transmission equipment. Williams Communications has exclusive area coverage and we have received two recommendations. Our existing microwave dishes are obsolete and need to be replaced with relocation of the transmission equipment into the ground level buildings. Secondly, is the recommendation to build-in redundancy by adding additional microwave dishes.

Background:

- On July 3, 2023, the Smarr E-911 cell tower was struck by lightning damaging the microwave shelf and top amplifier. This cell tower was restored to partial functionality.
- On July 31, 2023, the Justice Center cell tower was struck by lightning. This incident impacted all three tower sites.
- Partial connectivity was restored by deploying modems at all three sites and establishing a connection to the Macon/Bibb core.

Current Situation:

- E-911 radio transmissions are working, but barely!
- Mayor Wilson has asked Chairman Tapley “what is wrong with E-911”.
- Common radio transmissions are:
 - 10-1 Unable to copy.
 - 10-9 Repeat transmission
 - 10-78 Officer needs assistance
- Williams Communication engineers have submitted two recommendations.

Option 1:

- Upgrade existing microwave and transmission equipment at existing cell towers at Cabiness, Justice Center, and Smarr, and add a microwave dish at Knight Road.
 - Cost-\$432,797.35

Option 2 (Recommended):

- Upgrade existing microwave and transmission equipment at existing cell towers at Cabiness, Justice Center, and Smarr and add additional microwave equipment at Cabiness, Knight Road, and Town Creek.
 - Cost-\$613,852.77

Cost

		Option 1		Option 2
Williams Communications		432,797		613,853
Smarr Insurance		(100,000)		(100,000)
Justice Center Insurance		(100,000)		(100,000)
Subtotal		237,797		413,853
15% Payable by Forsyth		(34,920)		(62,078)
Net to Monroe County		197,878		351,775

County Manager Jim Hedges stated the way forward would be to proceed with the E-911 network upgrade with the installation of new equipment and expanding the network to include redundancy connectivity at a cost of \$613,852.77. Funding to come from unrestricted reserves.

Commissioner Emami stated there needs to be an opinion obtained on whether there was negligence in the original installation of the equipment.

Following an extensive Board discussion, Commissioner Ambrose motioned to approve Option 2.

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

Hill Top & East Redding Water Project

County Manager Jim Hedges stated both streets are in the Juliette area, and both were skipped over during the major portion of the Juliette Water Project. Hill Top Street was considered a private road, and after reviewing our records, it was determined it was indeed a county road. East Redding Street was considered to be within the land purchased by Georgia Power adjacent to Lake Juliette, and again, after reviewing our records it was determined this street was not included in the land purchased by Georgia Power.

Initially, in April 2023, we asked our main contractor, United Grading, to add Hill Top Street and East Redding Street to their contract as a change order. United Grading's estimate of \$168,109 was deemed excessive by the Board of Commissioners in April 2023 and the instructions from the Board was to rebid the project.

Bids have been advertised and received and the cost of the bids for this project range from \$101,583 to \$416,646.

Status:

- East Redding Road
 - 6-inch stub-out on Highway 87 to serve East Redding Road
 - 800 linear feet to St. Paul's Church
 - 5 residents and 1 church.
- Hill Top Street
 - The tax map shows this street to be private.
 - County records show this street as public.
 - 650 linear feet in length
 - 5-6 residents

Bids:

- | | |
|------------------------------|-----------|
| • M & E Construction | \$101,583 |
| • Pyles Plumbing and Utility | \$121,920 |
| • United Grading | \$168,109 |
| • Helix Grading & Utility | \$189,935 |
| • John R. Walker, Inc. | \$416,646 |

County Manager Jim Hedges stated the way forward would be to approve awarding the water main installation contract to M & E Construction at a cost of \$101,583; funding from the 2020 bond.

Commissioner Davis motioned to approve awarding the water main installation contract in the amount of \$101,583 to M & E Construction with funding to come from the 2020 bond.

Commissioner Ambrose seconded for discussion.

Commissioner Ambrose stated the amount seems high for 2-inch water mains.

Following a Board discussion, the motion carried 4-1 with Commissioner Emami opposed.

Recycling Center Roll-off Truck Purchase

County Manager Jim Hedges presented a memo from Solid Waste Director Dana Renaud requesting the purchase of a 2024 Mack Granit, VIN# 1M2GR3GC5RM039920 Roll-Off Truck in the amount of \$290,790.00.

Mr. Hedges stated Nathan Dumas, Solid Waste Management, spoke with Daniel Djanov, MIG Auto LLC, regarding the 2024 Mack Granite that is available as of August 29, 2023. Nathan Dumas explained that the Commissioner Board will meet on Tuesday, September 5, 2023, to approve the purchase of the vehicle.

As everyone knows, with current situations as they are regarding the purchasing this type of vehicle, they are sold as soon as they are delivered to dealers.

Mr. Djanov agreed to hold the truck with a \$3,000.00 non-refundable retainer for 5 business days allowing time to get the purchase approved. Should we purchase from this company, \$3,000.00 will be deducted from the purchase price. This truck is exactly what is needed to operate efficiently and is the lowest bidder.

Commissioner Ambrose motioned to approve the purchase of the 2004 Mack Granit Roll-Off Truck in the amount of \$290,790.00.

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

Dumping Ordinance

County Manager Jim Hedges stated on Thursday, August 24, 2023, someone involved in reroofing a house dumped the used shingles and other construction material on the side of Dames Ferry Road. Commissioner George Emami has asked Attorney Ben Vaughn to evaluate our existing ordinance with a view of stiffening the penalty of such action. Currently, the maximum penalty is a fine of \$1,000, or 30 days in jail, or both.

Following a Board discussion regarding stiffer penalties and the cost of clean-up, the Board instructed County Attorney Ben Vaughn to update the ordinance with stiffer penalties and charging the cost of clean up to the individual and bring back to the Board.

Speed Bump Ordinance

County Manager Jim Hedges stated the recently passed Speed Bump Ordinance had a mistake in the actual size of the speed bump which has been pointed out by Kim Stokes. An amendment is necessary to correct the actual size of the speed bump.

County Attorney Ben Vaughn stated the correction being made is the ordinance states “inches” and it should have been “feet “as well as the design was changed.

Commissioner Ambrose motioned to approve the amendment to the Speed Bump Ordinance.

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

P&Z Hearing-Presley-Variance

Commissioner Davis motioned to enter a public hearing at 6:48 p.m. for a variance application located on Sutton Pines Road Map 052 Parcels 043 and 060.

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

Community Development Manager Kelsey Fortner presented a variance application located on Sutton Pines Road, off Sutton Road, Map 052 Parcel 043,060.

Mrs. Fortner stated the request is to divide (2) 5-acre tracts off a private road in agricultural. The private road ordinance requires a minimum of 10-acres; being less than ten acres requires a variance.

The property owner is Richard E. Holden, and the applicant/property owner is Julianne Presley.

Mrs. Fortner stated the Planning and Zoning Board recommended approval on the condition that the plat and deed reflect rights to the private road and properties to all the residences on the private road.

No one was present in opposition.

Commissioner Emami motioned to come out of the public hearing at 6:52 p.m.

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

Commissioner Emami motioned to approve with the recommendations of the P&Z Board and for it to be noted on the final plat it is a private road and is not to be maintained by the county.

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

P&Z Hearing-Thompson-Variance

Commissioner Ambrose motioned to enter a public hearing at 6:53 p.m. for a variance application located at 182 Horseshoe Bend Road, Map 012C Parcel 073.

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

Community Development Manager Kelsey Fortner presented a variance application located at 182 Horseshoe Bend Road, Map 012C, Parcel 073.

Mrs. Fortner stated the request is for setback encroachment for the additions on an existing home.

The property owner/applicant is Robert Thompson.

The Planning and Zoning Board recommended approval.

No one was present in opposition.

Commissioner Ambrose motioned to come out of the public hearing at 6:57 p.m.

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

Commissioner Ambrose motioned to approve as submitted.

Commissioner Emami seconded the motion was carried 5-0.

P&Z Hearing-FIT Property-Conditional Use/Variance

Commissioner Ambrose motioned to enter a public hearing at 6:58 p.m. for a conditional use/variance application located at I-75 quadrant between Exit 185 and Exit 186 currently zoned commercial.

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

Community Development Manager Kelsey Fortner presented a conditional use/variance application to place a fifth outdoor advertising sign on I-75 quadrant between Exit 185 and Exit 186. The existing four signs are on city property, and this is being requested on county land. Years ago, a billboard was present but was removed when the business went bankrupt.

The property owner is Vernon Clete and Lavue Sanders and the applicant is FIT Property Holdings, LLC.

No one was present in opposition.

Commissioner Ambrose motioned to come out of the public hearing at 7:05 p.m.

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

Following a Board discussion, Commissioner Ambrose motioned to table the application and asked Ms. Fortner to clarify the following and bring back to the Board:

- Is the sign vertical or horizontal and what the actual dimensions of the sign are.
- Is it a horizontal double stacked sign.
- Has there been approval from the DOT.
- Is this sign located at least 500 feet from the next sign.

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

Unified Development Ordinance

County Attorney Ben Vaughn, Attorney Brandon Bowen, and Attorney Natalie Sundeen presented the Unified Development Ordinance to the Board.

County Attorney Ben Vaughn stated should the Board choose to adopt the ordinance, there is an adopting ordinance that needs to be approved, a resolution setting the Recreational Vehicle fees, an updated zoning map to approve and an adult entertainment establishment ordinance to consider.

Attorney Brandon Bowen stated there were a few new additions to the ordinance requested by the Planning and Zoning Board.

- Addressing golf course operation at night, the P&Z Board requested this be removed.
- The section that required the Zoning Administrator act within 15 days was asked to be changed to 30 days.
- A provision was added requiring a permit from the county for the housing of exotic or non-domesticated animals.
- Changing the minimum buffer for industrial development along state waters from 25 feet to 50 feet.
- Adult entertainment ordinance to be considered but not contained within UDO.

Commissioner Ambrose motioned to enter a public hearing at 7:10 p.m. for the Unified Development Ordinance.

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

Commissioner Ambrose stated the Board needed to make a move on the ordinance due to the fact it had been kicked around for two years. Commissioner Ambrose stated some of the changes he would like to see made to the Unified Development Ordinance were as follows:

- The section regarding shooting range outdoors needs the hours changed from 7:30-10:30 a.m. to 6:00-10:00 a.m. and the section addressing indoor shooting ranges that states no audible sound should be heard from the property line, is absurd.
- The solid waste handling section should be deleted.
- The manufactured home section is too vague.
- The section regarding manufactured homes cannot have brick skirting or metal roofs needs to be removed.
- The section regarding solar energy farms needs to be removed.
- He stated Monroe County does not have a qualified person to tell someone how to treat exotic animals and he feels this section needs to be deleted and go with state requirements,
- The section regarding landscaping buffers and tree protection is not needed.
- A section is needed addressing the parking of heavy trucks over 10,000 pounds at residences.

Commissioner Emami stated the UDO is going to require continual work from the Board.

Commissioner Emami read a few bullet points from the UDO stating the purpose and intent of the ordinance.

Commissioner Emami stated there has been a lot of debate on whether to change the existing document or to go to the new UDO, he continued to state that numerous people have spent countless hours developing the new UDO and his opinion is there are things that will have to come back and be discussed but this UDO is a lot more representative of what is wanted for the County and is a lot more enforceable.

Commissioner Emami stated he feels strongly that the Board should move forward and adopt the ordinance.

Commissioner Rowland stated recreational vehicles in general are not designed to be a permanent residence; however, if we had no RVs located within the county and was making an ordinance, I would say no RVs, but we have 100s. Commissioner Rowland stated we can't go from 100's of RVs to no RVs, that's an impossible task.

Commissioner Rowland stated requirements have been added to the UDO that people who choose to live in RVs have new laws they must follow.

Commissioner Rowland stated he had a friend advise him, "if you do not take control of your county, coming from someone that grew up in Henry County, the people coming in and developing will make their own laws", and that is not what we want for Monroe County.

Commissioner Davis asked why can't the changes that have been made be incorporated in the current ordinance and be done with it.

Commissioner Rowland replied that two boards sat together, and the majority said they wanted to work on the new ordinance and develop it.

The Board continued to discuss the Unified Development Ordinance in length.

Commissioner Ambrose motioned to come out of the public hearing at 7:44 p.m.

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

Commissioner Emami motioned to approve the adopting resolution for the Unified Development Ordinance with the most recent changes presented by Attorney Bowen but not to include the changes requested by Commissioner Ambrose at this time.

Commissioner Rowland seconded the motion and the motion carried 3-2 with Chairman Tapley and Commissioner Davis opposed.

Attorney Brandon Bowen stated the ordinance passed includes repealing the things that conflicted with the current ordinance, adopting the new UDO, approving the new zoning map and requires the Chairman and Clerk's signature and date.

Commissioner Emami motioned to approve the resolution setting the fee for the Recreational Vehicles at \$1000.00 to be paid by January 1st of each year.

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

Commissioner Ambrose motioned to approve the Adult Entertainment Ordinance as submitted.

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

Commissioner Comments

District 1-Lamarcus Davis

Commissioner Davis stated he wanted to commend the Board for the work and for continuing to move forward in a positive direction.

Commissioner Davis stated he wanted to give his condolences to City of Forsyth on the death of Councilman Ralph Ogletree

District 2-Eddie Rowland

Commissioner Rowland had no additional comments.

District 3-John Ambrose

Commissioner Ambrose stated he thinks the county needs to dissolve Family Connections from using any of the County's property and all ties should be severed.

Commissioner Ambrose stated he has been on the Board of Commissioners for nine years and this is the best board he has worked with.

District 4-George Emami

Commissioner Emami stated this has been an incredible growth experience for him professionally and personally. He stated he is very grateful to the men and women in the room that help run this county. He stated

he wanted to publicly apologize to County Manager Jim Hedges for his actions earlier in the year.

Commissioner Emami stated he wanted to say Thank You to the men on the Board.

Chairman Greg Tapley

Chairman Tapley stated he thinks the Board is doing well because they are communicating and is appreciative of all county employees and all members of the Board.

Public Comments

Ralph Burris, resident of 609 Harbour Shores Drive stated he would like to thank the Board for addressing the radio issue.

Valerie Smith, resident of 82 Blue Ridge School Road wanted to invite everyone to a fund raiser on October 21st for the arena to get proper drag and equipment.

Executive Session

There was no executive session.

Action from Executive Session

There was no executive session, therefore no action.

Adjourn

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

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

Respectively Submitted by:

Janet Abbott, County Clerk