

Monroe County Board of Commissioners

Minutes of the December 06, 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, Community Development Manager

Welcome

Chairman Tapley welcomed everyone in attendance.

Prayer

Commissioner Emami 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 as presented.

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

Approve Minutes-BOC Meeting-November 15, 2022, Regular Meeting

Commissioner Davis motioned to approve the minutes of the November 15, 2022, Workshop and Regular meetings with the usual 30 days for changes.

Commissioner Ambrose seconded the motion and the motion carried 4-0-1. Commissioner Emami abstained stating he has not had a chance to review.

Impact Fees (2nd Reading)

Commissioner Ambrose motioned to move into a public hearing at 6:03 p.m. to discuss impact fees.

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

County Manager Jim Hedges stated the Impact Fee Public Hearing was held on November 15, 2022. The next and final step is to approve the Impact Fee Ordinance.

Mr. Bill Ross gave a brief overview of the Impact Fee Schedule.

Chairman Tapley asked how the impact fees are split with the City of Forsyth.

Mr. Ross stated the impact fees for EMS only apply to the county.

Kerri Swearingen, 412 Reedy Creek Road, asked had any of the board members gotten any information from counties contiguous with Monroe,

Commissioner Emami stated he had spoken with Jones County, and they had denied them because they felt like it inhibited growth.

Ms. Swearingen stated she encourages the Board to do a little more research before they make their decision.

Harry Edge, Stokes Store Road resident, stated he agrees with Mr. Ambrose. Butts County has been charging impact fees for a while. He stated growth is ok, but he likes the rural country living.

Fred Dungan, 293 Maynards Mill Road, stated the last time he spoke he mentioned hospitals. He asked the Board for the definition of impact fees. The more people that live here the more people will use the hospital and landfill and he doesn't see how an impact fee doesn't qualify for use at these facilities.

Chairman Tapley responded that is a matter for the State legislature not something the Board has control over.

Commissioner Emami stated he is on the fence at this point. He stated there are concerns he has one being the challenge of being pigeonholed into only being able to spend money on certain things. He stated he doesn't like the inflexibility of the usage of impact fees. He stated he is also concerned that future boards will raise the

maximum cap on new homes. Commissioner Emami stated he could support impact fees if some of the profits from the county's projects related to growth can be passed back to constituents in the form of a millage rate decrease.

Frank Perez, 100 River Overlook, stated this is a tax anyway you look at it. The reason he is here is because he doesn't want to build and pay impact fees in Butts County, which is the reason he chose Monroe County to build a multi-million-dollar storage facility.

Commissioner Ambrose motioned to move out the public hearing at 7:09 p.m.

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

Following a Board discussion, the Board agreed by general consensus to revisit on January 17, 2023.

2023 Budget Public Hearings

Commissioner Davis motioned to open a public hearing for the 2023 budget at 7:11 p.m.

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

County Manager Jim Hedges presented the 2023 budget for all funds totaling \$45,765,618, a 6% reduction for 2022, which also includes a contingency of \$630,828.

Mr. Hedges stated the 2023 Budget is the 5th budget for Jim, Lorri, and Janet, combined over 100 years of budget experience. This is the 5th year for no TAN (Tax Anticipated Note), and the 4th year of adding reserves.

Mr. Hedges stated this is the 5th year of presenting a balanced budget which consist of 2200 budget line items, 34 departments and 3 pay scales.

The summary of the 2023 Budget for all funds is as follows:

- General Fund \$ 37,077,485
- Capital Projects \$ 1,438,820
- Enterprise Funds \$ 5,028,225
- Special Revenue Funds \$ 2,221,088
- Total \$ 45,765,618

Mr. Hedges stated the next steps will be a public hearing on December 13th for Board approval.

Don Daniel, Blount Road, asked the Board why no money was allocated to the hospital.

Commissioner Ambrose stated the referendum was passed for up to 1 mill and was not intended to remain forever.

Commissioner Davis motioned to come out of the public hearing at 7:39 p.m.

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

New Forsyth Road

Community Development Manager Kelsey Fortner, stated in 2018, New Forsyth Road applicant submitted a conditional use application for a business park subdivision on the already zoned commercial property. This was approved with several conditions. The engineer, Steven Rowland, has come across an issue with Macon Water Authority and needs the board's approval to revisit the conditions set forth and possibly amend one of those conditions.

One of the conditions states water and sewage to the property must be supplied by Monroe County. The Macon Water Authority stated that the master meter providing service to Monroe County is further north up New Forsyth Road and MWA contends that this development is not large enough to install another master meter to sell water to Monroe County. MWA has stated they will provide water and sewer services directly to this development.

The applicant is requesting from the Board, permission to remove the condition that Monroe County supply water from the previously approved conditions.

Commissioner Emami motioned to approve the removal of the condition on the original request subject to Macon Water Authority providing full maintenance and repair to the lines.

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

Sullivan Road Closure

Community Development Manager Kelsey Fortner, stated in October of this year, we received a request from a resident of Monroe County on Sullivan Road that has property. The resident is requesting Monroe County abandon the road and the property owner will maintain it. The property owner location is map 010 parcel 007B. Ms. Fortner stated all properties touching Sullivan Road, have access by other roads.

Ms. Fortner stated Vaughn and Sundeen Law Office has researched the process for abandoning Sullivan Road should the board decide to start the process.

Ms. Fortner stated she needs direction from the Board on whether to move forward with the process for abandonment and whether the County wants to cover the cost for the plat of this road for submission or have the property owner who approached the county be responsible for the cost of the plat.

Commissioner Emami motioned to start the process.

Commissioner Davis seconded the motion for discussion.

Following a Board discussion, Commissioner Emami amended his motion stating approval to start the process and the property owner would cover all expense including postage and notifications.

The motion carried 4-1 with Commissioner Ambrose opposed.

Courthouse Tree Proposal

Attorney Joe Kassab, an Atlanta attorney who frequently has cases in the Monroe County Courthouse, has requested to address the Monroe County Board of Commissioners. His request is to allow him to pay for four trees, variety to be selected by Monroe County, and for the installation anywhere on the courthouse square.

Mr. Kassab stated after speaking with several landscape companies, he was told the current courthouse square already has comprehensive landscaping and might not have room for additional trees.

Commissioner Ambrose suggested maybe planting some at the recreation department or at the new fire station.

Chairman Tapley thanked Mr. Kassab for his generosity.

Mr. Kassab stated he would be in touch with the County Manager.

P & Z Presentations

P & Z Hearing-Murray-Variance

Commissioner Ambrose motioned to open a public hearing at 8:06 p.m., for a variance application for property located at 132 Jenkins Road, map 090 parcel 032G.

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

Community Development Manager Kelsey Fortner presented multiple variances being requested for the 33.12-acre lot assigned to this map and parcel. Ms. Fortner stated variance requested are as follows:

1. Division of three lots on a pond less than the 3-acres minimum in agriculture.
2. Division of three lots on a private road (Jenkins Lane) less than the 10-acres minimum.
3. The three proposed lots would total 1.59-acres, leaving 31.53 partially landlocked.
4. No true road frontage accessed except for the private road (Jenkins Lane) partially connected to county road (Jenkins Road) with the front portion of the remaining parcel.
5. Curb cuts
6. Section 4.1.4 of the subdivision ordinance.

Ms. Fortner stated the applicants also request that they have the ability to build permanent or temporary structures on these lots should they propose too. Ms. Fortner stated the applicant's previous application requested this variance but with no structures; application was resubmitted with the possibility of temporary and/or permanent structures.

The property owner is John and Robert Jenkins, and the applicant is Robert Murray.

The Planning and Zoning Board recommended denial of the applications.

Michael Murray, 822 Gregory Road, spoke on behalf of the application.

No one was present in opposition to the application.

Commissioner Ambrose motioned to close the public hearing at 8:29 p.m.

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

Following a Board discussion, Commissioner Ambrose motioned to approve as submitted by the applicant.

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

P & Z Hearing-BCB Properties

Commissioner Emami motioned to open a public hearing at 8:33 p.m. for a variance application for property located at 4018 Johnstonville Road, Forsyth Georgia 31029, map/parcel 038 025A and 038 024B

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

Community Development Manager Kelsey Fortner presented a variance application for parcels 038, 025A and 038, 024B to create a 30' private road and the creation of 4 lots. Lot #1 is 3.33 acres, Lot #2 is 3.858, Lot #3 is 3.470 and Lot #4 14.98-acres. Lots 1-3 are less than the 10-acre minimum required for a private road. Lot 4 is compliant for acreage; but will access the requested private road. Lot 1 will access Johnstonville Road while lots 2-4 will access the private road.

The property owner and applicant is Lemie Bales, III, BCB Properties, LLC.

Lemie Bales, 105 Forest View circle spoke on behalf of the application.

The Planning and Zoning Board recommended approval.

No one was present in opposition to the application.

Commissioner Davis motioned to close the public hearing at 8:55 p.m.

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

Commissioner Emami motioned to approve the request for three total lots, two of which exceed 10 acres in size, and a 60-foot-wide private road to access the two rear lots, contingent upon Bales presenting a revised plat to the Board within 90 days.

Commissioner Rowland seconded the motion and the motion carried 4-1 with Commissioner Ambrose opposed.

P & Z Hearing-Warren-Variance

Commissioner Davis motioned to open a public hearing at 8:57 p.m. for a variance application for property located at 578 Old Union Gin Road, LL 149, LD4 Parcel 1-C-2A.

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

Community Development Manager Kelsey Fortner presented a variance application for LL 149, LD 4 Parcel 1-C-2A, 578 Old Union Gin Road. Ms. Fortner stated the variance request if for the shortage of road frontage on 24.9-acre tract that is being subdivided. The parcel has sufficient acreage per our ordinance, but the proposal will leave part of the road frontage at 115' which is 35' less than required. There is an existing curb cut so there will not be a new one. This will also create a flag lot while lacking the 150' road frontage minimum.

The property owner and applicant is James David Warren.

The Planning and Zoning Board recommended approval.

No one was present in opposition to the request.

Commissioner Rowland motioned to close the public hearing at 9:04 p.m.

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

Commissioner Ambrose motioned to deny the application.

The motion failed for lack of a second.

Commissioner Rowland motioned to approve the application.

Commissioner Emami seconded the motion and the motion carried 4-1 with Commissioner Ambrose opposed.

P & Z Hearing-Perez-Conditional Use

Commissioner Davis motioned to open a public hearing at 9:05 p.m. for a conditional use application for property located at 594 Indian Springs Drive and Mize Street, LTS 232-233/LTS 234-270.

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

Community Development Manager Kelsey Fortner presented an application for a conditional use located at 594 Indian Springs Drive and Mize Street for mini self-storage, RV and boat storage, and office warehouse space.

The conditional use is being applied for due to this lot being withing 300' of Residential and Agricultural districts.

The property owner and applicant is Perez Leasing, Inc./ Frank Perez.

The Planning and Zoning Board recommended approval.

Jan Caldwell, Carter Engineering Group represents Mr. Perez.

Ashley Perkins resident of 105 Ensign Road spoke in opposition to the request stating there will be increased noise and traffic. Ms. Perkins stated kids play in the area and this will cause an increased risk to the children and the road conditions are not good enough for the increased traffic.

Commissioner Emami motioned to close the public hearing at 9:21 p.m.

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

Following a Board discussion, Commissioner Emami motioned to approve as submitted.

Commissioner Ambrose seconded the motion and the motion carried 4-1 with Commissioner Davis opposed.

P & Z Hearing-Co Dev. Partners-Conditional Use/Variance

Commissioner Ambrose motioned to open a public hearing at 9:30 p.m. for a rezoning/conditional use/variance application for property located on High Falls Road (address to be determined), LL 136 LD 4.

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

Community Development Manager presented a rezoning/conditional use/variance for a property located on High Falls Road. Ms. Fortner stated the rezoning is from agricultural to commercial. The conditional use is for the property being within 300' of residential and /or agricultural property. The Variance is for one parking space per 292 sq. ft. of GLA or 36 spaces. (GLA-Gross leasable area) The applicant is requesting for the property owner; a 10,500 sq. ft. retail building. The retail building will be a Family Dollar and a Dollar Tree. The property owner is Dharendra Mody, and the applicant is CO Development Partners/High Tide Consultants. The Planning and Zoning Board recommended approval.

No one was present in opposition to the request.

Commissioner Ambrose motioned to close the public hearing at 9:43 p.m.

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

Following a Board discussion, Commissioner Ambrose motioned to approve the application as submitted.

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

Alcohol License

Community Development Manager Kelsey Fortner presented an alcohol application for a restaurant located on 1182 HWY 83 south, formally named *Ebbyz Bar & Grill* has changed ownership. The new owner(s) Lanita Hunt & Temika Wilbourn will now be operating the restaurant under the new name of *Big 75 Bar-n-Grill*. The licenses requested for this location are:

- Malt Beverage Package and Pouring
- Wine Package and Pouring
- Distilled Spirits

The process for this has been completed with ads, background checks and application payment.

Commissioner Ambrose motioned to approve.

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

Commissioners' Comments

Commissioner Davis reminded everyone of the up coming toy drive sponsored by Men Making a Difference.

Commissioner Ambrose stated he would like to look at property reevaluations for retired citizens. He stated he would also like to look at changing the voting districts from 13-5.

Commissioner Emami stated he appreciates Public Works Director Chris Walker and Consultant Kimbel Stokes for remaining in the entire meeting. He stated he had conversations with Mr. Walker regarding the semi-trucks parking along the interstate ramps and discarding trash in the right of ways. He stated he would like to ask the County Manager to come up with a game plan on what the county can do regarding the parking.

Commissioner Emami stated he would also like to look into getting on the list for the Federal Broadband Equity, Access, and Deployment (BEAD) program funding to assist the homes that were not included in the initial internet expansion.

Chairman Tapley stated there was a graduation of 10 firefighters that were trained locally, and he would like to give kudos to Chief Jackson for developing the team.

Chairman Tapley stated at 10 a.m. on Monday, December 12, Monroe County and Oglethorpe Power will host a groundbreaking for the new Smarr fire station on Ray Hartley Road.

Public Comments

Don Daniel resident of 288 Blount Road presented a copy of the front page of the first edition of the Monroe County Reporter to the Board.

Executive Session

There was no executive session

Action from Executive Session

Adjourn

Commissioner Davis motioned to adjourn at 10:03 p.m.

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

Respectively Submitted by:

Janet Abbott, County Clerk