

Monroe County Board of Commissioners

Minutes of March 04, 2025

Regular Meeting

6:00 p.m.

Present:

Alan Gibbs, Chairman

John Ambrose, Vice-Chairman

Lamarcus Davis, District 1

Eddie Rowland, District 2

Al Turner, District 4

Staff:

Jim Hedges, County Manager

Ben Vaughn, County Attorney

Janet Abbott, County Clerk

Richard Dumas, Public Information Officer

Welcome

Chairman Gibbs welcomed everyone in attendance.

Prayer

Reverend Bill Wilson Pastor of Russellville Baptist Church gave the invocation.

Pledge

Chairman Gibbs led the Pledge.

Roll Call

County Clerk Janet Abbott called roll.

Call to Order

Chairman Gibbs called the meeting to order at 6:00 p.m.

New Business

Approve Agenda

Chairman Gibbs presented the agenda for approval with the addition of executive session for real estate, deleting item D, and the addition of item G for Commissioner Ambrose to discuss a UDO moratorium.

Commissioner Ambrose motioned to approve the agenda with said changes.

Commissioner Davis seconded the motion, and the motion passed 5-0.

Approve Minutes-February 18, 2025, and, February 13, 2025, Called Meeting/Public Hearing

Chairman Gibbs presented the minutes of the February 18, 2025, Regular Meeting and the February 13, 2025, Called Meeting/Public Hearing for approval.

Commissioner Davis motioned to approve with the normal 30 days for changes.

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

Family Connection Reinstatement

In late 2023, the Monroe County Family Connection organization was terminated by the Georgia Family Connection Executive Committee and Board Members. During the past year, the Monroe County Family Connection has been reestablished and training sessions attended at the regional level. The next step for reinstatement is for the Monroe County Board of Directors to approve an affidavit under O.C.G.A. 13-10-91 (b)(1) as the fiscal agent for the Monroe County Family Connection.

Grant Writer Tammy Selman presented to the Board.

Commissioner Davis motioned to reinstate the Monroe County Family Connection with Monroe County Board of Commissioners acting as the fiscal agent.

Commissioner Ambrose seconded for discussion.

Commissioner Turner asked what the reasons for reinstatement were.

Ms. Selman stated the prior executive director's position was part-time and in every other organization in the state it is a full-time position. Ms. Selman stated they are not asking right now for this to be full-time but will be asking going forward.

Commissioner Davis stated he has been attending the meetings for about a year and the state has been coming down and training the board members.

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

Ryland Environmental

County Manager Jim Hedges stated he was contacted by Mr. Todd Yates, Chief Executive Officer of Ryland Environmental. As background, Ryland currently services approximately 3,000 homes with

residential pickup collecting 10-12 tons of trash per day. Additionally, Ryland collects approximately 3-5 tons of trash in Monroe County from roll-off boxes. All trash collected in Monroe County by Ryland is transported to the Wolf Creek Landfill in Dry Branch, Ga., some 33 miles from Forsyth. Mr. Yates spoke of a conversation with a former Commissioner who indicated to Mr. Yates that Monroe County was not interested in allowing Ryland, as a commercial customer, to utilize the Strickland Loop Landfill because we had plenty of tax income from Plant Scherer. Commissioner Lamarcus Davis was present during this conversation.

Mr. Yates would like to utilize the Strickland Loop landfill, and his attached letter guarantees only waste generated in Monroe County would be transported and deposited at the county landfill. From my perspective, this is a win-win by adding to the county's revenue and reducing operational costs of transporting waste by Ryland to Dry Branch and approval of Mr. Yates' request is recommended. Following a Board discussion, Commissioner Ambrose motioned to approve.

Commissioner Rowland seconded the motion, and the motion carried 4-0-1 with Commissioner Turner out of the room at the time of the vote.

P&Z Hearing-Special Use-Dial

Commissioner Ambrose motioned to enter a public hearing at 6:29 p.m. for a Special Use application in A-R for amusement or recreational activities, the property is located at 1946 Johnstonville Road.

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

Community Development Manager Kelsey Fortner presented a special use request in A-R for amusement and recreational activities located at 1946 Johnstonville Road, Map 015 Parcel 002. The property owners/applicants are Kimberly and Eric Dial. Mrs. Fortner stated the Board of Commissioners in 2024 declined to conduct a Planning & Zoning hearing regarding the application by Kimberly and Eric Dial for a special use pending compliance with the UDO on various issues. Those issues have now been resolved. Mrs. Fortner stated the application has not been modified from the previous entry and has already gone through Planning and Zoning and no new information is being submitted.

The applicants chose not to speak at this time.

Roger McDaniel resident of 332 Godsey Road, Jackson Georgia stated he is a property owner in Monroe County and stated he is the Power of Attorney for Wanda Williams, 2014 Johnstonville Road. Ms. Williams is the neighbor to the property requesting the special use. Mr. McDaniel stated he is strongly opposed to the baseball facility. Mr. McDaniel stated Mr. Dial initially indicated he was building a

baseball field for his son's travel baseball team to have practice space and then a pole barn, but the pole barn turned into a commercial baseball training facility and game venue with home plate being just 41 feet from Ms. Williams' property line, 150 feet from her bedroom, 168 feet from her front porch, and the back of the batting cage building is 13 feet from the property line. Mr. McDaniel stated this has been ongoing for a year now. Mr. McDaniel placed a large stack of documents on the podium and stated this is an open records request by the Dials to the county and has used up lots of taxpayer dollars. Mr. McDaniel asked had any changes been made to the UDO in regard to driveways because the existing driveway does not meet the UDO requirements, stating it is only 1 foot off the property line and the UDO requires it to be 10 feet. Mr. McDaniel stated the UDO also talks about how much road frontage and how many driveways can access county roads are possible. It states that up to 300 feet can have one driveway, from 300 to 1000 can have two driveways, and then after 1000 feet you can have one drive per 500 feet. Mr. Daniels stated in this particular case you have a little over 600 feet of road frontage with three driveways so the extra driveway that was installed should not be allowed. Mr. McDaniels showed pictures of a driveway that did not have a culvert but stated there has been one added recently. Mr. McDaniels stated the pictures being shown have a zoning sign, but the sign was continuously taken down by someone and he doesn't understand why the signs couldn't stay in place.

Mr. McDaniel stated he recommends the property not be rezoned and the special use not be granted. He stated his main concern is Ms. Williams health and well being at this point.

There was no one else present to speak in opposition to the application.

Eva Bilderback, resident of 251 Sleepy Creek Road very passionately addressed the board stating she has been up to Twin Oaks and her daughter practices ball at the property and the people that are in there practicing ball are not causing any problems. Ms. Bilderback stated the ball field was part of the original property and she doesn't understand why it is a problem now. Ms. Bilderback stated the Board members are public servants, she is a public servant, and we are here to serve the public. Ms.

Bilderback stated she got involved in this and went to Brad Freeman because when she heard the board voted and wanted Ms. Dial arrested, she started crying.

Commissioner Davis corrected Ms. Bilderback stating the Board didn't order anyone to be arrested.

Ms. Bilderback stated she understands the public sometimes makes us mad, she has gotten mad on the school board, but her job is the children and whatever it takes to keep the children of Monroe County safe that's what she does. She stated that it is a place for children to go and who could be opposed to

children. Ms. Bilderback stated she admits they started out wrong, but the county is supposed to be helpers. She stated this is a good thing for the kids in Monroe County.

Pam Dial resident of 62 McMullen Road stated she moved here about 4 years ago. Ms. Dial stated once the property is paved it will alleviate the dust problem. She stated this is only one baseball field and is something good for the county and gives the children something good to do.

Danny Dial, resident of 62 McMullen Road, stated he was taught to never hold a grudge against kids. He stated Eric may not have bought his permits like he was supposed to, but he has paid his dues, he stated the driveways being discussed were just like you see them today when the property was bought. Property Owner/Applicant Eric Dial, resident of 461 Preakness Way stated he admits he should have gotten a permit for a pole barn in the beginning but when he called about getting a permit, he was told he didn't need it because his property was zoned agricultural, so he didn't get one. Mr. Dial stated after finding out he needed one he applied for one and had one issued to him and paid double permit fees as a penalty. Mr. Dial stated this is a good thing for the kids and the county. He stated it was not his intention to have a baseball field when he bought the property, but he figured out he was not a good strawberry grower and decided to do something else. Mr. Dial stated Mr. Stokes has approved the driveway, and the pole barn is 13 feet off the property line, which is within the guidelines.

Commissioner Davis stated he loves kids and has been coaching at the recreation department since 1998. He stated the Board never wanted the Dials' project to fail, he stated the board wants to make sure they are doing everything right to prevent being sued. Commissioner Davis stated he didn't appreciate Ms. Bilderback's insinuation that he doesn't put kids first because he loves kids.

Commissioner Ambrose motioned to come out of the public hearing at 7:10 p.m.

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

Commissioner Davis stated he doesn't want to see anyone fail; he wasn't raised that way. He stated he wants to do anything he can do to make this work.

Commissioner Ambrose motioned to deny the application.

Commissioner Rowland seconded for discussion.

Commissioner Ambrose stated he doesn't believe this belongs in an agricultural area. Commissioner Ambrose asked the Public Works Director if the driveway is up to standards.

Mr. Stokes replied it is not up to UDO standards because it is not 10 feet off the property line and is not covered with crush-and-run material as was requested.

Commissioner Ambrose stated we have had trouble with this from the beginning, he stated although the UDO states a pole barn can be 10 feet off the property line this is not a pole barn. This building is a 140-foot-enclosed building. He stated he sympathizes with the neighbor because of the noise.

Commissioner Ambrose stated all of this should have gone through zoning before anything was built.

Commissioner Ambrose asked had the sedimentation problem been resolved.

Chairman Gibbs replied he had spoken with the engineer and the plans were denied and he fixed the stuff that was wrong and when it was sent in it was lost in the mail, so he has resubmitted.

Commissioner Rowland stated he heard the driveway had been there and it was probably an old field road.

Mr. Stokes stated it had been there for several years, and it was used as the ingress and egress to get back to the farm and the strawberry fields and the issue came about when Mr. Dial stopped it up, put fill in, rocked it in, built a driveway which then backed the water up in the ditch on the right-of-way. Mr. Stokes stated the UDO requires a driveway to be 10 feet off the property line and this is a commercial driveway not a residential driveway.

Commissioner Rowland stated that putting the crush and run on the driveway is normal and then Mr. Stokes comes out to inspect, he asked Mr. Stokes what the next step was for the Dials in the driveway meeting standards.

Mr. Stokes stated the Dials would need to apply for a variance to be less than 10 feet from the property line and the Commissioners would need to vote on it. Mr. Stokes stated the road department could take care of the crush-and-run within the right-of-way when they come out to rebuild the shoulders.

Commissioner Rowland stated he had asked Mr. Dial months ago four things that needed to be done and those are the same four things the Community Development Manager had said needed to happen.

Commissioner Rowland stated the Community Development Manager has the toughest job in Monroe County, and he would like people to understand that when they attack her and that she is doing the best she can at a very difficult job, and he appreciates her. Commissioner Rowland stated there were four things that needed to happen, which were to have the commercial building meet all the requirements of a commercial building as stated in the UDO ordinance and that has been completed by Abbott and Associates; have the engineering work done and follow best practice standards in regard to clearing and land disturbance directed by state and local law and from my understanding there is a question about that. He stated number three was to bring the driveway up to standards and Mr. Stokes just stated that it has not been done, and number four is what we are doing today is seeking and gain approval.

Commissioner Rowland stated that there are two things that are pending. He stated he is not going to vote to deny it, but we are not to the point where we can approve it and stamp it, so where do we go from here.

Commissioner Ambrose stated if the board votes tonight and it is denied the Dials would have to wait a year to come back and apply. He stated his suggestion would be to withdraw the application tonight and fix the issues and then come back before the board.

Chairman Gibbs stated he thinks he has a solution which is to approve pending the paperwork coming back in from the engineer, and the driveway being fixed with crush-and-run when the road department comes out.

Commissioner Ambrose stated he had never seen an application be approved without all of the paperwork. Commissioner Ambrose stated it needs to be fixed before we approve it.

Chairman Gibbs called for a vote on Commissioner Ambrose's motion.

The motion failed 1–4 with Commissioner Ambrose in favor and Chairman Gibbs, Commissioner Davis, Commissioner Rowland and Commissioner Turner opposed.

Chairman Gibbs then motioned to approve the Dials' special use request contingent upon completion of the driveway and erosion control requirements and approving a variance for the driveway.

Commissioner Ambrose stated he did not agree, and that Mr. Stokes would not be able to give the Dials any crush-and-run until the next time the road department does resurfacing work on Johnstonville Road, which would not be anytime soon.

Mr. Dial spoke stating he did not want to install any crush-and-run, saying he is not a fan because it gets in your tires and then gets in his buildings.

Commissioner Ambrose replied to Mr. Dial stating he could asphalt his driveway in lieu of crush-and-run.

Mr. Dial replied he intended to pave the driveway and it's a possibility and asked if he could have a time frame of a year for this.

Chairman Gibbs stated we have to come to a final point on this.

Commissioner Davis asked how hard it would be to move the driveway and stated he doesn't want to put contingencies on the project and said its approval and completion should come back before the board.

Mr. Dial stated most people don't use that driveway.

Mr. McDaniel spoke again stating he sounds like the board is going to move forward with this and allow the driveway to remain, he stated there is an elevation change where the driveway is, and he shouldn't be allowed to do that.

Commissioner Ambrose stated he can't remember in ten years the Board ever approve a variance without it first being applied for.

Chairman Gibbs withdrew his motion.

Commissioner Davis suggested postponing the application until the items had been completed and came back before the board.

Commissioner Ambrose asked County Attorney Ben Vaughn how the Board could approve a variance that had not been asked for.

County Attorney Ben Vaughn replied he is not involved in the hearing but procedurally there is one decision before the board tonight and that is to grant a special use or not, if a variance were to be needed it would need to be applied for.

Commissioner Rowland stated the two things they are asking for is information from the state and to complete the driveway as required by the county ordinance and approved by the Public Works Director, Kim Stokes.

The Board agreed by general consensus to postpone the application.

UDO Moratorium-Commissioner Ambrose

Commissioner Ambrose proposed to the board a 60-day moratorium on any home permits so the UDO can be worked out for subdivisions and new homes and have a discussion regarding Impact Fees.

Commissioner Ambrose stated he would like to have a special use fee in lieu of an Impact Fee.

Commissioner Rowland stated the cost of building a house right now is crazy and he really hates to add another cost right to anyone about to build a house.

Commissioner Ambrose stated he would like to return to the old zoning ordinance and drop the UDO.

Commissioner Davis stated you have people out there that have construction loans and to do this would put an unnecessary burden on them, he continued stating he would prefer it stay as it is.

The board discussed the proposal from Commissioner Ambrose and no action was taken.

Public Comments

Mitchell Bunce, resident of 380 Strickland Loop stated the UDO is not perfect, but he doesn't think we need to harm the residents in Monroe County by placing a moratorium, he stated let's not pause all building maybe just for major developments.

Kimberly Dial resident of Preakness Way stated she is disappointed in the Board's decision regarding her zoning application. She stated we applied for a Special Use Permit and Kim Stokes and Judge Wilson signed off on the driveway. She stated y'all are holding a grudge and not approving the application. She asked the Board why are y'all questioning a driveway that Judge Wilson signed off on. Michele McDaniel, wife of Roger McDaniel and sister of Wanda Williams, addressed Board stating her sister is not opposed to baseball, she stated Roger has done a lot of work that you all have not done. Ms. McDaniel stated the Dials have a track record in all counties with not wanting to follow procedures. Ms. McDaniel stated she grew up on that farm and the road in question was not there. She stated no silt fence had been installed.

Eric Dial, resident of Preakness Way as well as the applicant and property owner of the zoning application, stated he was told he didn't need a land disturbance permit or a soil and erosion control plan because he was disturbing less than an acre of land. Mr. Dial stated he had done everything he was told to do by Judge Wilson and District Attorney Johnathan Adams. Mr. Dial stated he paid his double fines in the beginning and had received his Certificate of Occupancy. Mr. Dial stated the fines that were issued to him later were not valid and were only pieces of paper. Mr. Dial stated if the Board doesn't approve the application, he will know that it is literally a grudge, and he is ok with that because he sleeps just fine at night knowing the Board doesn't like him.

Commissioners' Comments

District 1 Lamarcus Davis

Commissioner Davis stated he would like to get past this, he stated we didn't turn anyone down tonight, the board just doesn't have the paperwork in hand to approve the application. Commissioner Davis stated he doesn't dislike anyone in the room and the Board is conducting business and can't approve the application without the paperwork.

District 2 Eddie Rowland

Commissioner Rowland stated he works really hard to make good decisions. He reminded everyone of the time change for the coming weekend and the Forsythia Festival. Commissioner Rowland stated the Sheriff's Office, and the Fire Department are doing a great job as well as the Road Department in cleaning up the roads after the recent storm.

District 3 John Ambrose

Commissioner Ambrose stated after riding around the county today he couldn't stress enough to residents the need to buy one of the blue driveway markers, he stated it could make a big difference in someone's life.

District 4 Al Turner

Commissioner Turner stated he is considerate of both the Dials and Ms. Williams' property rights and stated he is tired of the whole deal and hopes once it comes back before the Board it will be over with.

Chairman Alan Gibbs

Chairman Gibbs stated there was a lot of passion in the room tonight. He stated he had spoken to the Engineer for the Dials, and he had assured him the plans had been lost in the mail, and he is 100% positive this will pass when it comes back before the Board. Chairman Gibbs stated he looks forward to putting this in the past.

Executive Session-Real Estate

Commissioner Ambrose motioned to enter executive session at 8:02 p.m. for Real Estate.

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

Commissioner Ambrose motioned to come out of executive session at 8:11 p.m.

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

Action from Executive Session

County Attorney Ben Vaughn stated the Board discussed property acquisition and no action was needed at this time.

Adjourn

Commissioner Ambrose motioned to adjourn at 8:12 p.m.

Commissioner Turner seconded the motion, and the motion was carried 5-0

Respectively Submitted by:

Janet Abbott, County Clerk