

Monroe County Board of Commissioners

Minutes of the March 2, 2021

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/HR

Richard Dumas, Public Information Officer

Kelsey Fortner, Zoning Officer

Welcome

Chairman Tapley welcomed everyone in attendance.

Prayer

Commissioner Emami gave the invocation.

Pledge

Chairman Tapley led the Pledge of Allegiance.

Roll Call

County Clerk Janet Abbott called roll.

Call to Order

Chairman Tapley called the meeting to order at 6:02 P.M.

New Business

Approve Agenda

Chairman Tapley presented the agenda for approval with the change to move Otis Ingram's zoning application up on the agenda to be the first zoning hearing.

Commissioner Ambrose motioned to approve the agenda with the change.

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

Approve Minutes-BOC Meeting-February 16, 2021-Amend December 3, 2019

Commissioner Emami motioned to approve the minutes of the February 16, 2021 Regular Meeting with the usual 30 days for changes and to amend the minutes of the December 3, 2019.

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

Surplus Equipment

County Manager Jim Hedges presented the following list of equipment for surplus:

	YEAR	MAKE	MODEL	VIN#	Mileage	Condition
#1	1997	FORD	F-SUPERDUTY/RESCUE	1FDLF47F1VEC21514	UNKNOWN	OPERATIONAL
#2	1995	E-ONE	LADDER FIRE TRUCK	4ENGABA5S1004960	95599	INOPERABLE
#3	2001	FLEET	FREIGHTLINER	1FVABXCS32HK12730	UNKNOWN	INOPERABLE
#4	1997	FORD	F-SUPERDUTY/RESCUE	1FDLF47F5VEC19085	UNKNOWN	OPERATIONAL
#5	2006	FORD	AMBULANCE	1FDXE45P37DA05754	UNKNOWN	OPERATIONAL
#6	2009	CHEVROLET	AMBULANCE	1GB9G5B62A11252831	UNKNOWN	INOPERABLE
#7	2009	CHEVROLET	64500/AMBULANCE	1GB9G5B62A1122571	UNKNOWN	INOPERABLE
#8	UNK	COATS	TIRE CHANGER		UNKNOWN HOURS	OPERATIONAL
#9	1986	Chevy	3S00 Service Truck	1CBHC34MXG5139349	60485	OPERATIONAL
#10	2019	Chevy	Silverado	1GCUYGED2KZ310390	UNKNOWN	OPERATIONAL-TRADE-IN

Commissioner Ambrose motioned to approve to surplus the equipment.

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

F-5 Solid Waste Contract

County Manager Jim Hedges presented the next item stating three letters of notification had been sent to F-5 Hauling Services for failure to perform its obligations per our contract dated March 1, 2016, without a response. Mr. Hedges stated it is time to go to the final alternative. He stated it is recommended that Monroe County formally notify F-5 Hauling Services we are terminating the agreement due to a material breach of the agreement effective immediately.

Commissioner Ambrose stated the county still has some of their containers that will need to be returned.

Commissioner Emami stated he thinks something should be filled out with the BBB from the county.

Commissioner Ambrose motioned to approve to cancel the contract and allow the chairman to sign.
Commissioner Emami seconded the motion and the motion carried 5-0.

Macon Water Authority Contract Amendment

Mr. Hedges stated in a meeting with members of the Macon Water Authority late last year the subject of reducing the cost of water purchased from the MWA for Monroe County's new water service area was discussed; specifically, a reduction for the Juliette Water Project area. The MWA has proposed a 20% reduction in the cost of water purchased for this defined area provided that the contract be reset back to a 50-year contract. Currently, we stand at 9 years into the original 50-year contract. This proposed reduction will save the county \$20,000 annually, or over \$1,000,000 over the life of the contract.

Commissioner Ambrose motioned to approve the contract contingent on the increase to five million gallons a day and allow the chairman to sign.

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

P & Z Highway 41 South-Otis Ingram

Commissioner Emami motioned to enter a public hearing for a rezoning and conditional use application.

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

Zoning Officer Kelsey Fortner presented an application for a rezoning and conditional use located at Hwy 41 South, map 092 parcel 005. The property owner and applicant is Otis Ingram, Ingram Timber Enterprises, LP. Ms. Fortner stated Mr. Ingram is requesting to rezone 57.53-acres from residential to commercial with a conditional use. The conditional use is due to the property being within 300 feet of residential property. Ms. Fortner continued the property would be subdivided along a newly created road and will be used as office buildings similar to what is across the highway. Ms. Fortner stated the plat will also be presented to the Board of Commissioners as a minor subdivision due to the number of lots (16) being created and the creation of a new road.

Ms. Fortner stated the Planning and Zoning Board had recommended approval 3-1.

The applicant and property owner, Otis Ingram of Ingram Timber Enterprises, spoke on behalf of the application.

Otis Ingram and Steve Rowland, Engineer spoke on behalf of the application. Mr. Ingram gave a presentation outlining his plans for the property and handed out a Declaration for Protective Covenants for Bolingbroke Office Park that he states he is willing to adhere to for the property. Mr. Ingram also submitted letters of

support from Joel Kennedy and David Prim as well as a petition with signatures from various business owners in the area that were in support of the development. Both Mr. Kennedy and Mr. Prim own commercial property in the Bolingbroke area.

The Declaration for Protective Covenants for Bolingbroke Office Park Mr. Ingram submitted is as follows:

1. Set Back Requirements-All buildings must be set back 25 feet from any road and 75 feet from any property line in a residential district with evergreen buffer. Minimum lot width is 100 feet.
2. Building Size-Building structures shall be a minimum of 5000 sq. feet and a maximum of 25,000 sq. feet.
3. Building Materials-Brick or stone front elevations only, with side and back walls and back can be block, metal, or hardy plank. Roof materials can be metal or shingle roof systems.
4. Entrance Signage Materials-Entrance sign will be constructed of Brick or Stone with businesses identified on metal signage.
5. Landscape-The front of the buildings will have shrub and plantings appropriate with size of building. The remaining portion of parcel will have some ground cover with various grass, shrubs, etc.
6. Road Construction-Will consist of construction materials as specified in the Monroe County Ordinances for Roads, which will include curb and gutter.
7. Parking Spaces-Parking spaces will be provided in appropriate number in front of the building. One parking space per 350 sq. feet per the county ordinances for one story buildings and one space per 500 sq. feet for a second floor.
8. Architectural Control Committee-The property owner and whom he may choose may consist of members of the committee. They will be responsible for reviewing all exterior elevations, floor plans, building materials, parking plans, landscaping, etc. All construction plans must be submitted in writing to the committee for review and approval before any construction or Certificate of Occupancy is obtained.
9. Sewer Construction-The septic system will be provided by each parcel owner. Sewer capacity will be the size and location as specified by the Monroe County Health Department.
10. Developer Access-The developer will have a 10-foot access along the side and rear property lines for drainage issues and/or utilities.

Architect Steven Rowland addressed the storm water concern and sewage stating there would be a master storm water pond for storm water runoff in one central location. He stated the water would come from across the road and they would do a jack and bore under Hwy. 41 and the railroad. There would be a sanitary sewer service

with individual septic systems on each lot. Mr. Rowland stated the entrance road has been presented to GDOT and got their general approval, they are requesting a traffic study and configuration of the entrance before they decide on whether they will require turning lanes.

Steve Wilson stated, “a lot of people want to move here and have a business but there is nothing available here for the small business guy.”

Commissioner Emami stated he has a procedural question, he asked are we reading this correctly on the time allowed. He stated he thinks the applicant should have the full time needed to present and not feel rushed.

Commissioner Emami asked County Attorney Ben Vaughn what the proper procedure is. Mr. Vaughn replied the Zoning laws require a minimum of 15 minutes, but the Board can allow as much time as they would like.

Commissioner Ambrose stated he agrees the applicant should have as much time as needed.

Chairman Tapley stated this would maybe be an agenda item for another meeting but currently we are adhering to the current meeting rules.

Commissioner Emami asked Mr. Ingram was he willing to stick to the covenants. Mr. Ingram replied he would.

Commissioner Rowland asked how we would make sure the landscaping and signs would be taken care of.

Ms. Fortner stated the developer would come to her for a sign permit prior to installing and she would make sure they were abiding by the ordinance. Ms. Fortner continued with the county does not currently have an ordinance that applies to landscaping but if the Board wanted her to enforce it, she would.

Lance Hill with Clark Hill Horse Farm located on Estes road stated he is concerned about the natural watershed creek that goes through the middle of the property, what will happen with the creek? Ms. Fortner stated with the amount of land being developed they will have to have Erosion Control plans that are approved through Georgia Soil and Water.

Becky Kerner, Proprietor of Clark Hill Farms, asked would future developments have to adhere to the covenants and who will be monitoring.

Steve Rowland replied stating this is a commercial subdivision, so the builder becomes the secondary permittee and is required to meet the same requirements and to adhere to the same guidelines.

Henry Davis stated Otis is his neighbor and this is the first time he has seen this, but he thinks it is a sad day.

Commissioner Rowland asked if five years down the line Mr. Hill has a problem and sees a runoff problem, who does he go to.

Ms. Fortner replied he calls me and if I cannot do anything, I will call EPD.

Annette Barnett stated she lives on the other side of Mr. Davis. Ms. Barnett stated we already have several commercial businesses in Bolingbroke, is the fire department equipped for additional commercial business and is there a potential for billboards.

Mr. Ingram replied no, we will put no billboards in the covenants.

Ms. Fortner stated billboards are a whole different application process and are much more complicated.

Mr. Steve Rowland stated there will be 8-inch water lines run into the development that will serve the fire hydrants, the cul-de-sac is big enough for the firetrucks to turn around and the buildings will be required to have sprinkler systems.

Commissioner Emami motion to close the public hearing at 7:02 p.m.

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

Commissioner Emami stated we want to see quality products and buildings erected that are going to make us proud; we must balance a good place to live and a place to raise children. We as a Board have the unpopular job to find places to put commercial development. On almost every corner of this overpass there is either commercial or industrial and there is already a precedent.

Commissioner Emami motioned to approve the rezoning and conditional use application accepting the covenants that were presented by Mr. Ingram with the addition of no billboards, county water is run at the developers expense, no wells, community or development retention pond will be built with underground storm water drainage, down cast lighting, planted vegetative buffer 75 feet wide, architectural shingle or metal roof and a six-month timeline from breaking ground for the vegetative buffer to be completed.

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

The approved amended covenants are as follows:

The Declaration for Protective Covenants for Bolingbroke Office Park Mr. Ingram:

1. Set Back Requirements-All buildings must be set back 25 feet from any road and 75 feet from any property line in a residential district with evergreen buffer. Minimum lot width is 100 feet.
2. Building Size-Building structures shall be a minimum of 5000 sq. feet and a maximum of 25,000 sq. feet.
3. Building Materials-Brick or stone front elevations only, with side and back walls and back can be block, metal, or hardy plank. Roof materials can be metal or *architectural* shingle roof systems.
4. Entrance Signage Materials-Entrance sign will be constructed of Brick or Stone with businesses identified on metal signage.

5. Landscape-The front of the buildings will have shrub and plantings appropriate with size of building. The remaining portion of parcel will have some ground cover with various grass, shrubs, etc.
6. Road Construction-Will consist of construction materials as specified in the Monroe County Ordinances for Roads, which will include curb and gutter.
7. Parking Spaces-Parking spaces will be provided in appropriate number in front of the building. One parking space per 350 sq. feet per the county ordinances for one story buildings and one space per 500 sq. feet for a second floor. *Gravel or paving to loading dock or back door from front entrance of each parcel.*
8. Architectural Control Committee-The property owner and whom he may choose may consist of members of the committee. They will be responsible for reviewing all exterior elevations, floor plans, building materials, parking plans, landscaping, etc. All construction plans must be submitted in writing to the committee for review and approval before any construction or Certificate of Occupancy is obtained.
9. Sewer Construction-The septic system will be provided by each parcel owner. Sewer capacity will be the size and location as specified by the Monroe County Health Department.
10. Developer Access-The developer will have a 10-foot easement along the side and rear property lines for drainage issues and/or utilities.
11. *No Billboards*
12. *County water will be run at the developer's expense, no wells. This will be provided by 12" main line on Pea Ridge Road by boring under RR and Highway 41.*
13. *There will be a development soil and erosion plan and retention pond built on site to service the entire development with curb and gutter and underground storm water drainage.*
14. *Lighting will be down cast lighting. Streetlights of decorative nature will be provided along road into development.*
15. *A planted 75 feet wide vegetative buffer along the property line side to be completed within six months of breaking ground.*

P & Z Estes Road-Johnny Johnson

Commissioner Ambrose motioned to enter a public hearing for a rezoning at 7:18 p.m.

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

Zoning Officer Kelsey Fortner presented an application to rezone a 16.13-acre lot located at 1397 Juliette Road, Map 065 Parcel 035, to Residential with a Variance. The applicant is proposing to create at minimum, six 1-acre tracts and one 9.95-acre tract with less than the required amount of road frontage and a flag lot creation.

The amount of lots being created needs Board approval. The application was recommended for approval by the Planning and Zoning Board 4-0. The Property owner is Johnny Johnson, Estes Road Holdings, LLC.

The applicant was present on behalf of the application.

No one present was opposed to the application.

Commissioner Ambrose motioned to close the public hearing at 7:23 p.m.

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

Commissioner Ambrose motioned to approve the rezoning.

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

P & Z Rumble Road-Cliff & Lindsey Evans

Commissioner Ambrose motioned to enter a public hearing at 7:28 p.m.

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

Zoning Officer Kelsey Fortner presented an application on behalf of property owner and applicant Cliff Evans Est. Etal., Cliff Evans III and Lindsey Evans, to rezone two tracts of 203.93 acres located at Rumble Road Map 080 Parcel 022, to residential leaving the remaining lands as Agricultural. Ms. Fortner stated a driveway will be shared between the two parcels and the easement for ingress and egress will be stated on both plats. Ms.

Fortner stated the Planning and Zoning Board recommended approval 4-0.

The applicants Cliff and Lindsey Evans were present on behalf of the application.

No one was present opposed to the application.

Commissioner Emami motioned to close the public hearing at 7:33 p.m.

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

Commissioner Rowland motioned to approve the application.

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

P & Z Goodwyne Road-Margie Gibson

Commissioner Davis motioned to enter a public hearing for the variance at 7:36 p.m.

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

Zoning Officer Kelsey Fortner presented an application on behalf of property owner and applicant Margie Gibson to parcel out 1-acre of her 20-acre property instead of the required 3-acres in agriculture for her mother to build a home. The property is located on Goodwyne Road, Map 028 013G. Ms. Fortner stated the Planning and Zoning Board had recommended approval.

Ms. Margie Bryant was present on behalf of the application.

No one was present that was opposed to the application.

Commissioner Emami motioned to close the public hearing at 7:38 p.m.

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

Commissioner Emami motioned to approve the variance.

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

P & Z Appointments

Commissioner Ambrose motioned to enter a public hearing for an amendment to the Zoning Ordinance at 7:41 p.m.

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

Zoning Officer Kelsey Fortner presented an amendment to the Zoning Ordinance stating the Board of Commissioners are requesting an amendment of Section 93.1 of the Zoning Resolution for the Unincorporated Area of Monroe County. Section 93.1 provides for Membership Qualifications of the Members of the Planning Commission; the amended Section 93.1 shall read:

“The planning commission shall consist of a number of members equal to the number of county commissioners; planning commission members may be reappointed. Any vacancy in the membership of the planning commissioner shall be filled for the un-expired term. Members may be removed for cause by the board of commissioners upon written charges and after public hearing thereon. No member of the planning commission shall hold any other public office.”

Ms. Fortner stated the amendment would remove: “each county commissioner appointing a planning commission member from his or her district for a term of one (1) year.”

Ms. Fortner stated the Planning and Zoning Board had recommended denial requesting to keep it as it currently reads.

Commissioner Rowland motioned to close the public hearing at 7:42 p.m.

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

Commissioner Ambrose motioned to deny the ordinance amendment.

Chairman Tapley seconded the motion for discussion.

Commissioner Ambrose stated when we appoint someone from our own district it gives a good representation of the whole county.

The Board discussed the pros and cons of the amendment.

The motion failed 2-3 with Chairman Tapley and Commissioner Ambrose for and Commissioner Rowland, Commissioner Davis, and Commissioner Emami against leaving the ordinance as is.

Commissioner Emami motioned to approve the amendment to the ordinance.

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

Subdivision-Josey Road

Zoning Officer Kelsey Fortner presented a minor subdivision plat for approval. Ms. Fortner stated the minor subdivision is located on Josey Road and consist of 16 lots all 4-acres or more. Ms. Fortner stated parcel 6 was thought to be a flag lot; however, realizing that the road frontage was more than the building width amount and the setbacks, it is no longer classified as a flag lot. Ms. Fortner stated this was being brought to the board due to the amount of lots being requested.

Commissioner Rowland motioned to approve the minor subdivision plat for Josey Road.

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

Subdivision-Mc Common Road

Zoning Officer Kelsey Fortner presented a minor subdivision plat for approval. Ms. Fortner stated the minor subdivision is located on McCommon Road and consist of 14-tracts all 3-acres or more. Ms. Fortner stated plat #1 is not a stand-alone parcel and it will be added to the adjoining parcel. Ms. Fortner stated this was being brought to the board due to the amount of lots being requested.

Commissioner Emami motioned to approve the McCommon Road minor subdivision plat.

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

Subdivision-Various

Zoning Officer Kelsey Fortner presented a major subdivision plat for approval. The subdivision proposed is on 3-plats; however, the land is contiguous and consists of 286.1 acres. Ms. Fortner stated the lots will all be large lots consisting of 5-acres and larger. Ms. Fortner continued with the proposal of 2-private roads is requested (Rum Creek Pass and Rum Creek Trail) and should this be approved-per our county ordinance e a note will be stated on the plat that the “county does not have the responsibility of maintaining these roads being requested.” Ms. Fortner stated the Objective is as follows:

- Page 1-16 parcels and Rum Creek Pass (all 5-acres & up)
- Page 2-9 parcels and Rum Creek Trail (all 5-acres & up)
- Page 3-7 parcels (all 5 acres & up)

Equaling to a total of 32 Parcels and those not accessing the proposed private roads will access Ponder Trammel Road, Juliette Road, and Old Juliette Road.

The developer David Aldridge was present on behalf of the application.

Commissioner Ambrose asked would there be mobile homes or modular homes allowed.

Mr. Aldridge stated he has not allowed mobile homes for a while.

Commissioner Emami motioned to approve the plat.

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

Meeting Time Change Proposal

Commissioner Davis motioned to change the second Board of Commissioners meeting of the month from a 9 a.m. meeting back to the original time of 6 p.m.

Commissioner Emami seconded the motion.

Following a board discussion, the motion to change the meeting time failed 0-5.

Old Business

Curb Cut Ordinance (Second Reading)

Following a Board discussion, Commissioner Ambrose motioned to table the Curb Cut Ordinance.

Commissioner Emami seconded the motion to table.

The motion carried 5-0.

Timber Harvesting Ordinance (Second Reading)

County Attorney Ben Vaughn presented the Timber Harvesting Ordinance for approval. Mr. Vaughn stated during the last legislative session, HB 897 made several changes to the state timber harvesting statute. The amendments require the State Forestry Commission to create a notification website for providing notice of timber harvesting operations to local governments. The legislation also changed surety bond and letter of credit requirements and provides procedures for making and adjudicating claims against bonds, including appeals. Mr. Vaughn stated ACCG recommends every county to update its local timber harvesting ordinance. Commissioner Rowland motioned to approve the Timber Harvesting Ordinance. Commissioner Davis seconded the motion and the motion carried 5-0.

Public Comments

Annette Barnette commented to the Board they had done a good job tonight.

Executive Session

No Executive Session.

Action from Executive Session (If necessary)

Adjourn

Commissioner Ambrose motioned to adjourn at 8:27 p.m.

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

Respectively Submitted by:

County Clerk, Janet Abbott