

LOWNDES COUNTY BOARD OF COMMISSIONERS
MINUTES
REGULAR SESSION
Tuesday, September 13, 2022

COMMISSIONERS PRESENT

Chairman Bill Slaughter
Vice Chairman Scott Orenstein
Commissioner Joyce Evans
Commissioner Mark Wisenbaker
Commissioner Demarcus Marshall
Commissioner Clay Griner

Chairman Slaughter called the meeting to order at 5:30 p.m.

INVOCATION

Commissioner Griner

PLEDGE OF ALLEGIANCE TO THE FLAG

Commissioner Griner

Chairman Slaughter recognized Fire Chief, Lloyd Green, for finishing second in his age class at the 9/11 Memorial 5k Run on Saturday, September 10, 2022. He stated the County was well represented in the event.

MINUTES

The minutes were presented for the work session of August 22, 2022, the Millage Hearing of August 23, 2022, the regular session of August 23, 2022, and the Special Called meeting related to local option sales tax (LOST) held August 26, 2022. Vice Chairman Orenstein made a motion to approve the minutes as presented, Commissioner Wisenbaker second. All voted in favor, no one opposed. Motion carried.

PUBLIC HEARING

REZ-2022-15 O'Neal Properties, 2547 US HWY 84 West, R-21 to C-H, Well & Septic, 4.53ac, Planning and Zoning Director, J.D. Dillard, presented the item. Mr. Dillard stated this request is from R-21 to Commercial Highway, (C-H) zoning on US Hwy 84 West. The same request was made last year and ultimately denied by the Board of Commissioners, 3-2. Access to this property is from 84 West, which is a state maintained arterial road. This property is also within the Community Activity Center Character Area, the Urban Service Area, and the Highway 84 Corridor Overlay. A letter of support was signed by adjacent neighbors and located on a map in the agenda packet, and also a letter of opposition that was submitted late last Friday (September 9, 2022). Since 2021, Code

Enforcement has an ongoing case of this property; multiple citations have been issued - some of which have been corrected. A list of violations remains outstanding that must be brought in to compliance, regardless of the zoning district applied. While C-H zoning is permitted in the Character Area, staff found the request inconsistent with the existing land use pattern. The Planning Commission heard this request at the August 29, 2022, meeting, and recommended approval of the request, 5-1. Commissioner Marshall asked if the most recent violations, dated September 2, had been addressed. Chairman Slaughter stated he understands some of the violations have been taken care of, but not all of them. He further stated that regardless of the outcome of the rezoning request, those violations would still have to be resolved. Mr. Dillard stated that is correct. Commissioner Wisenbaker stated he visited the subject property and was impressed with the site overall and the applicant's efforts. No one spoke against the request. Mr. Bill Langdale, 2519 Jerry Jones Drive, stated he is the attorney representing the applicant. He stated Mr. O'Neal will continue to work diligently to address the code enforcement violations. He stated many of the farm implements are on the property due to the primary occupation of the applicant, as a farmer. Mr. Langdale stated commercial zoning is appropriate due to its location in the Urban Service Area and within the Community Activity Center. He stated the Planning Commission recommended approval of this request. The location of the property is conducive to commercial development and there are several commercially zoned properties in the area. The majority of the neighbors agree with the request to rezone to commercial. Lonnie O'Neal, 3023 Pecan Plantation Road, spoke in favor of the request and stated he owns property near the subject property and has been approached by investors that would like to open a commercial business on those properties. He stated no residential properties have been developed in the area. Commissioner Marshall asked if the same violations would apply if the zoning is changed. Mindy Bates, Code Enforcement Director, stated some of the violations would not apply if the zoning is changed, but several would remain. Commissioner Wisenbaker made a motion to approve this request as presented, Vice Chairman Orenstein second. All voted in favor, no one opposed. Motion carried.

REZ-2022-10 The Campus Transitional Care Facility - Validity of June 16, 2022 Vote, Planning and Zoning Director, J.D. Dillard presented the item. Chairman Slaughter opened the public hearing by asking if anyone in the audience was in opposition to the request. No one spoke in opposition. Speaking in favor of this request was David Shoe, 4867 Break Thru Road. Mr. Shoe stated the concerns from the citizens opposing the first rezoning decision were from the impact of this project in their neighborhood, and would affect the value of their property. He stated that he appreciates the second look the Commissioners are taking on this decision. Ms. Savannah Baker, 4046 Old Naylor Road, read from a prepared statement, and comments centered on the choice of location, the curriculum vitae, and their goals and abilities to manage such a facility of this measure. Research on such a short notice has revealed that few people, if any, would meet the minimum requirements to run this facility. She stated many are concerned this is a way to create revenue, as one of the board members for the project has stated. Ms. Baker stated she has a background in law enforcement and has experience in relapses and the increase in criminal activity from drug users and alcoholics. While she supports these programs, statistics show 85% of individuals relapse within a year of treatment. A

multitude of crimes are associated with drug use, as these crimes are committed to facilitate the addiction. She continued that this type of facility is not regulated nor required to obtain licenses or permits through the State of Georgia. She asked that the rezoning of this property be denied. She stated in June, a petition with over 500 signatures was submitted to the Board of Commissioners for their consideration. Blake Howell, 3417 Boring Pond Road, asked that the Commissioners research the project before making a decision. He indicated the facility is not licensed, and the addictions are considered medical diseases and the individuals in the program will need the proper counseling and resources to address those situations. He doesn't believe the facility will give the residents what they need to succeed. He stated the facility will be located close to a school and driving on Howell Road is dangerous. Chairman Slaughter stated the rezoning case will be reconsidered, and this agenda item is to consider the validity of the vote taken on June 26, 2022, due to errors. The following agenda item will be a public hearing on the request. That public hearing will reset the clock, and a vote will be taken somewhere between six and nine months after the public hearing tonight. Commissioner Marshall confirmed that this is the legality of the initial vote. Chairman Slaughter asked for a show of hands to determine the validity of the June 16, 2022, vote. The show of hands was unanimous- all in favor, no one opposed.

REZ-2022-10 The Campus Transitional Care Facility, Planning and Zoning Director, J.D. Dillard, presented the item. Mr. Dillard stated this is a request to rezone the property at Howell Road from E-A to Planned Development, P-D, for uses including a Transitional Care Facility. Based on the ULDC definition of a transitional care facility, and the legal definition of a halfway house, the Official Code of Georgia requires a public hearing to be held on a proposed action at least six months and not more than nine months prior to the date of the final action of the zoning decision. Commissioner Marshall asked if this vote will be to hold another hearing, Chairman Slaughter responded there will be no vote taken tonight on this agenda item. County Attorney, Walter Elliott, stated this is a public hearing. Vice Chairman Orenstein asked concerning the role of the Planning Commission in this process and if they will review this again. Mr. Elliott stated that would be evaluated prior to scheduling the second public hearing. Vice Chairman Orenstein asked if there was a chance it would go back to the Planning Commission; Mr. Elliott stated yes, there is a chance. David Shoe, 4867 Break Thru Road, spoke against the request. Mr. Shoe addressed Vice Chairman Orenstein and asked hadn't the Planning Commission already recommended against approval of this request, Vice Chairman Orenstein stated while the Planning Commission recommended denial, the Board of Commissioners voted to approve. Mr. Shoe asked why the Planning Commission would be asked to review the request again when the Board of Commissioners voted against their recommendation. Chairman Slaughter explained the Planning Commission is a recommending body only, and the Board of Commissioners has the latitude to take the recommendation or go a different direction. He continued this is a procedural process and if it's determined that the request needs to return to the Planning Commission for legal reasons, then the request will follow that procedure. Joshua Knight, 2209 Young Drive, spoke in favor of the request. Mr. Knight stated he is an attorney, first responder and small business owner as well as a recovering alcoholic. He stated he represents the recovering community and he also was a resident of Redeemed Living. He continues to lead an AA meeting in the

program. He stated he believes there is a gross misrepresentation as to what this program is, and it is not a halfway house, nor is it a flophouse. It is more of a transitional house for continued recovery of each man in the program. Mr. Young detailed a typical day in the program. He stated the men in the program are not criminals. The community and the Commissioners are welcome to visit and examine the program. Brent Moore, 3850 C L Moore Road, spoke in favor of the request. Mr. Moore stated he hoped to clear up some misconceptions regarding the program. He stated the petition with 500 signatures is accurate and since that petition was signed, he has spoken to those petitioners and clarified some of their concerns. He stated there is not a board member that has been compensated for their participation. He compared existing facilities to the subject property and their proximity to churches, schools, etc., which treat a multitude of illnesses, not just drug and alcohol recovery. He stated background checks are performed on each applicant before accepting them. Further, he stated there is a registered sex offender living in the community, and several of the people that signed the petition live less than 2.5 miles from that person. He concluded that at the last meeting, he was physically and verbally threatened, and a client of the program was struck in the parking lot by a vehicle owned by a woman in opposition to the request. Commissioner Griner asked if the men that will live in this facility have already successfully completed a drug or alcohol rehab program; Mr. Moore stated yes, and their counselor would have to recommend them to this program. Commissioner Griner asked if this program would assist with successful reintegration in to society; Mr. Moore stated yes. Mr. Moore closed by stating this is a long-term plan and will not be built overnight. This is a ten plus year, \$3 million dollar investment.

FOR CONSIDERATION

Adopt Resolution Accepting Infrastructure for The North Acres Subdivision Phase I, Director of Engineering Services, Chad McLeod, presented the item. Mr. McLeod stated The North Acres Subdivision, Phase I, is located off of Val Del Road, and consists of 24 lots. Engineering staff has made the final inspection, and all work is complete, along with all the paperwork. Commissioner Evans made the motion to accept the request as presented, Commissioner Griner second. All voted in favor, no one opposed. Motion carried.

Briggston Road Paving Project Agreement with Valdosta Railway, L.P., Director of Engineering Services, Chad McLeod, presented the item. Mr. McLeod stated the design engineer and staff have been working with Valdosta Railway, L.P. on an agreement for the railroad crossing to be upgraded during the project. Valdosta Railway will complete the work to upgrade the crossing and Lowndes County will pay Valdosta Railway. The work will include all engineering services, new surfaces (including new ballast, ties, crossties, rail, OTM), installing new lights and gates, bells, control bungalow, and other necessary circuitry to provide advanced train warning to the traveling public. The total cost for the upgrade is \$438,537.00. Commissioner Wisenbaker made the motion to approve the request as presented, Vice Chairman Orenstein second. All voted in favor, no one opposed. Motion carried.

Extraterritorial Extension of Water and Sewer Services Parcel 0050 032 and 0050 033, Utilities Director, Steve Stalvey, presented the item. Mr. Stalvey stated this property is used by the City of Hahira as spray fields and it was recently annexed in to the City. The 2008 SDS Agreement provides, "any party may make an extraterritorial extension of water and sewer services upon approval of the affected party." This request will not have a negative effect on the County. Staff recommends approving the extraterritorial extension to the City of Hahira for water and sewer services for the property and authorize the Chairman to sign and deliver the letter to Mayor Cain. Commissioner Marshall made the motion to approve the request as presented, Commissioner Griner second. All voted in favor, no one opposed. Motion carried.

Extraterritorial Extension Water and Sewer Services – Parcel No. 149A 036D, Utilities Director, Steve Stalvey, presented the item. Mr. Stalvey stated this is at 3833 Inner Perimeter Road and is known as Monster Storage. This property is being served by City of Valdosta water and sewer services currently. The 2008 SDS Agreement provides, "any party may make an extraterritorial extension of water and sewer services upon approval of the affected party" and will not have a negative effect on the County, as there are no County services in the area. Staff recommends approving the extraterritorial extension of Valdosta water and sewer services to the property, and authorize the Chairman to sign and deliver the letter to Mayor Matheson. Commissioner Marshall made the motion to approve the request as presented, Commissioner Evans second. Commissioner Griner stated the City of Valdosta should make these requests before running the lines in the future. Those voting in favor of the motion to approve the request: Commissioners Evans, Wisenbaker, Marshall, and Griner. Vice Chairman Orenstein opposed the motion. Motion carried.

Extraterritorial Extension of Water and Sewer Services – Parcel No. 132D 001, Utilities Director, Steve Stalvey, presented the item. Mr. Stalvey stated this property is owned by Southern Gateway, LLC, and this extension is provided by the 2008 SDS Agreement. The 2008 SDS Agreement provides, "any party may make an extraterritorial extension of water and sewer services upon approval of the affected party" and will not have a negative effect on the County, as there are no County services in the area. Staff recommends approving the extraterritorial extension of Valdosta water and sewer services to the property, and authorize the Chairman to sign and deliver the letter to Mayor Matheson. Commissioner Griner made the motion to approve the request as presented, Commissioner Evans second. Those voting in favor of the motion to approve the request: Commissioners Evans, Marshall, and Griner. Vice Chairman Orenstein and Commissioner Wisenbaker opposed the motion. Motion carried. Chairman Slaughter stated that these extraterritorial extensions should have been requested previously, but they were not. The maps will reflect these changes, and at that time, Mr. Elliott will be asked to compile a package that will include these maps and a few other changes and he (Chairman Slaughter) will deliver the package to Mayor Matheson and request an expedient turnaround.

BID

Griner Lot Improvements, Director of Engineering Services, Chad McLeod presented the item. Mr. McLeod stated Lowndes County purchased the Griner property located just north of this building, at the corner of Webster Street and North Ashley Street in 2009. Recently, staff has been working on a design for the property and held a pre-bid conference a month ago, which three contractors attended. Staff received one (1) bid from Rountree Construction Company for \$2,542,586.00. Commissioner Marshall asked regarding the timeline. Mr. McLeod stated the contract is 270 days. The delivery of pipe takes 3-5 months. Commissioner Wisenbaker stated he thinks this is not a top priority project and should be delayed. Commissioner Griner made the motion to approve the request as presented, Commissioner Marshall second. Those voting in favor of the motion to approve the request: Vice Chairman Orenstein, Commissioners Evans, Marshall, and Griner. Commissioner Wisenbaker opposed the motion. Motion carried.

REPORTS – County Manager

County Manager, Paige Dukes, stated on Friday, September 9, 2022, Utilities and Finance submitted six applications for a total request of \$44,000,000.00 in ARPA funding. This is a recent allocation made available through the State with a 10% match. The County will use existing ARPA funds for the match, if awarded. Mrs. Dukes recognized Rachel Bowen, Finance Department, for her diligence and hard work with ARPA funding guidelines. Mrs. Dukes thanked Stephanie Black, Finance Director, for allocating Mrs. Bowen's time on ARPA funding. Mrs. Dukes thanked everyone that made the 9-11 week a success and Mrs. Barwick for her work in promoting the event; because of this, Lowndes County was mentioned in the *ACCG Local Lens*. Mrs. Dukes stated Ron Isom, Utilities Department, came in first in his age group in the 9/11 5k run. Natasha Rathcamp, Human Resources, and Rachel Bowen, Finance, also participated in the 5k. She further stated the Fire Department had the largest group represented. Mrs. Dukes stated the kick off meeting for the Val Del Road traffic study was held on September 12, 2022, and it went well. The Water Assistance Days with Coastal Plain will begin Friday, September 16, 2022, and Mrs. Rachel Thrasher will be the point of contact. The County will host this event in the multi-purpose room for the county utility customers only. Staff is meeting next week for updates to the County's website. Several staff members will be attending DCA's Georgia Academy for Economic Development meeting in Moultrie next week. The third recruit class graduation and rank pinning ceremony will be held on Tuesday, September 20, 2022, at the Rainwater Conference Center at 10 AM. Mrs. Dukes thanked everyone who attended the last ceremony and encouraged everyone to attend this one, if possible. New banners will be placed in the parking lot and will be changed for the holidays, and electrical improvements to the exterior of the building will occur in order to hold Christmas activities (Santa and the Christmas tree) in the parking lot while the renovations to the historic Courthouse are conducted. Mrs. Dukes thanked Robin Cumbus, Director of Public Works, Mrs. Barwick, and Mrs. Thrasher for their work with this project. Mrs. Dukes wished Chairman Slaughter, Commissioner Evans and Commissioner Griner a happy birthday.

CITIZENS WISHING TO BE HEARD

Jerome Register, 4971 Shiloh Road, addressed the commission regarding Register Road. Mr. Register stated his concern is Register Road and the paving of this road. He stated a petition to pave has been turned in and the paperwork was lost. Due to this, the paving of this road has been delayed.

Melvin Brandon, 4580 Register Road, addressed the commission regarding Register Road. Mr. Brandon stated he assumed the road would have been paved 20 years ago. He stated paving this road would assist with the flow of traffic and improve the quality of life for residents on Register Road.

ADJOURNMENT

Vice Chairman Orenstein made a motion to adjourn the regular session meeting, Commissioner Griner second. Chairman Slaughter adjourned the meeting at 6:30 pm.