

LOWNDES COUNTY BOARD OF COMMISSIONERS  
MINUTES  
REGULAR SESSION  
Tuesday, March 14, 2023

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

**MINUTES**

The minutes were presented for the work session of February 13, 2023 and the regular session of February 14, 2023. No revisions to the minutes were requested. Vice Chairman Orenstein made a motion to approve the minutes as presented, Commissioner Evans second. All voted in favor, no one opposed. Motion carried.

**PUBLIC HEARING**

**REZ-2023-03 Flannigan, ~8.0 acres, James Road & Smith Street, R-1 to P-D, County Utilities**

County Planner, J.D. Dillard, presented the item. Mr. Dillard stated this request represents a change in zoning on the subject property from Low Density Residential (R-1) zoning to Planned Development (P-D) zoning, for a 144-unit apartment complex and amenities. This property is within the urban service area and a neighborhood activity center character area according to the Comprehensive Plan Future Development Map, which permits P-D zoning. Mr. Dillard stated there were no wetlands on the property and the infrastructure is provided for County utilities. Mr. Dillard stated the main entrance to the apartment complex is on Smith Street and will be gated. Mr. Dillard stated the Planning Commission recommended denial and the TRC approved and had no objectionable comments.

Robert A. Lane, 5025 Adel Highway, Quitman, GA spoke against the request, speaking on behalf of his father, Robert Lane, with his property being adjacent to the proposed project. Mr. Lane stated the community is not against improvement, but this proposal does not align with the character of the community. Mr. Lane stated there will be an increase in traffic and he doesn't believe Smith Street and James Road will be able to withstand the volume of traffic. Mr. Lane stated single family residential homes would be welcomed in the community. Mr. Lane stated 151 signatures have been

collected from the community opposing this project. Margie Copeland, 2424 James Road, spoke against the request. Ms. Copeland stated she drives a school bus for Lowndes County and the traffic is a concern. Ms. Copeland stated to have additional traffic on Smith Street and James Road would be too much. Ms. Copeland stated with the increased traffic there is a concern for the children and senior citizens who walk on Smith Street and James Road. William Morgan, 2181 Smith Street, spoke against the request. Mr. Morgan stated he believes this project and this rezoning is dangerous. Mr. Morgan stated there should be a perimeter/boundary established to protect the school. Mr. Morgan asked that the encroachment on Smith Street and James Road be stopped. John McCall, 3308 County Club Road, spoke in favor of the request as the architect for the applicant, Mr. Felix Flannigan. Mr. McCall stated Mr. Flannigan is seeking to have the 7.8 acres rezoned to P-D, currently R-1, one house per acre. Mr. McCall stated this property sits adjacent to James Road and the County has developed this area. Mr. McCall stated per the Comprehensive Plan this area is specifically identified to be developed as a neighborhood activity center, including general retail, service commercial, professional offices and higher-density housing. The Comprehensive Plan states the neighborhood activity center is allowed to be zoned P-D and multi-family housing. If allowed this project will represent approximately a twenty-five million dollar investment. According to Mr. McCall, Mr. Flannigan's family will continue to be a partner in this community. Mr. McCall stated per the previous application, this project will not have any commercial retail development, only housing. Mr. Felix Flannigan, 21611 Spanaway Washington State, spoke in favor of the request as the applicant. Mr. Flannigan stated his family is from this area and resides here. Mr. Flannigan stated this project is a first-class development, gated with cameras, and he is prepared to listen to the community and will make every effort to satisfy the community going forward. Mr. Flannigan stated in looking at the Comprehensive Plan, it indicated this is what the County is looking for on James Road, with a tremendous need for housing. Commissioner Marshall asked regarding concerns about the location of the dumpster on the proposed development and how it faces the south and would it be possible to reconsider the location closer to Smith Street, Mr. Flannigan stated if the dumpster being relocated to a different location is being requested, he would be prepared to look at that issue. Commissioner Marshall asked about the 30-foot buffer being proposed, Mr. Flannigan stated yes that is a natural buffer for P-D zoning. Commissioner Evans asked Mr. Flannigan if a meeting had been scheduled with the residents in the area, Mr. Flannigan responded he has tried, but has not been able to accomplish it. Mr. Flannigan stated Dr. Morgan was asked and indicated that he was the designated spokesman for the community. Commissioner Griner made a motion to approve the request with the condition to move the dumpster to another location other than the southeast corner, Commissioner Wisenbaker second. Vice Chairman Orenstein, Commissioners Wisenbaker and Griner voted in favor of the request, Commissioners Evans and Marshall opposed. Motion carried.

**Addition to Basic Decorative Lighting District: Ballantyne Subdivision (81 lots) and Quarterman Estates Subdivision, Phase 4, Section 1 (27 lots)**

County Planner, J.D. Dillard, presented the item. Mr. Dillard stated this request has been advertised as required and staff recommends approval of adding the eighty-one (81) lots of the Ballantyne Subdivision and twenty-seven (27) lots of Quarterman Estates Subdivision, Phase 4, section 1 into the County's basic decorative street lighting district. Mr. Dillard stated the current charge for the basic decorative street lighting is \$61.50 per lot, per year. No one spoke for or against the request. Commissioner Marshall made a motion to approve the basic decorative lighting districts: Ballantyne Subdivision 81 lots and Quarterman Estates Subdivision, Phase 4, Section 1, 27 lots, Vice Chairman Orenstein and Commissioner Griner second. All voted in favor, no one opposed. Motion Carried.

## FOR CONSIDERATION

**Dell Laptop Lease for Signature**, IT Director, Aaron Kostyu, presented the item. Mr. Kostyu stated the lease schedule agreement addresses the \$150,900.00, in funding previously approved for the purchase of laptops for the Sheriff's Office. Vice Chairman Orenstein made a motion to approve the item as presented, Commissioners Evans second. All voted in favor, no one opposed. Motion carried.

**Abandonment of a Section of Hightower Road**, Director of Engineering Services, Chad McLeod, presented the item. Mr. McLeod stated as part of the Hightower Road TIA project, staff worked with Moody Air Force Base to relocate a section of Hightower Road for the purposes of promoting security of aircraft at Moody Air Force Base. This project anticipates abandoning the highlighted 1693.52 foot section of the road located approximate to Moody Air Force Base. Mr. McLeod stated the Commission is being asked to determine that removal of the highlighted section of Hightower Road from the county road system is in the best public interest. Commissioner Marshall made a motion determining that removal of the highlighted section of Hightower Road from the county road system is in the best public interest, Vice Chairman Orenstein second. All voted in favor, no one opposed. Motion carried.

### **Quit-Claim Deed and Release Approved by Greg Saucier,**

#### **\*Agenda Item Added\***

County Manager, Paige Dukes, presented the item. Mrs. Dukes stated that as a result of the title exam for parcels 16 and 17 of the Briggston Road right-of-way project, it was discovered a purchase agreement was recorded by Greg Saucier in the Lowndes County Real Estate Records. Mr. Saucier and Saucier Investment have agreed to settle and release their claim of interest in parcels 16 and 17 by signing the quit-claim deed and settlement and release agreement conveying and releasing their claimed interest in parcel 16 and 17 to the County for a total amount of \$1,000.00. Commissioner Wisenbaker made a motion to pay Mr. Saucier and Saucier Investment \$1,000.00, and to accept the attached quit-claim deed and settlement and release agreement upon execution by Mr. Saucier and Saucier investment, Commissioner Evans second. All voted in favor, no one opposed. Motion carried.

## BID

**Kinderlou Offsite Well Emergency Repair**, Utilities Director, Steve Stalvey, presented the item. Mr. Stalvey stated during routine maintenance, staff noticed excessive noise and vibration when the pump was running. Mr. Stalvey stated Goforth Pump Service Company submitted a quote for \$26,585.50 for supplies, labor and equipment to complete the job. Vice Chairman Orenstein asked if Goforth Pump Service could make the repairs without any help from other companies, Mr. Stalvey answered yes. Vice Chairman Orenstein made a motion to approve the emergency repair as presented, Commissioners Evans and Wisenbaker second. All voted in favor, no one opposed. Motion carried.

**Francis Lake Sewer Rehab**, Utilities Director, Steve Stalvey, presented the item. Mr. Stalvey stated after an emergency repair last year on a section of gravity sewer, staff determined that 2,200 feet of the sewer main at Francis Lake was in need of repair. Mr. Stalvey stated four bids were received with Insituform Technologies, Inc. submitting the low bid in the amount of \$225,910.30. Insituform Technologies, Inc. is located in Bessemer, Alabama. Commissioner Wisenbaker made a motion to approve the request as presented, Commissioner Marshall second. All voted in favor, no one opposed. Motion carried.

**Val-Del Water Main Extension**, Utilities Director, Steve Stalvey, presented the item. Utilities Director, Steve Stalvey, presented a request to extend the watermain on Val-Del Road from Lucas Richardson Road to McMillan Road. This work involves the installation of approximately 7,250 linear feet of 16" HDPE water main, fire hydrants, valves, bores and all other appurtenances necessary to complete this project. Mr. Stalvey stated James Warren and Associates, Inc. submitted the low bid in the amount of \$980,051.00 and Radney Plumbing, Inc. (RPI) was the next lowest bidder in the amount of \$1,227,670.25. Commissioner Marshall asked the timeline for this project, Mr. Stalvey answered 150 days, once the pipe is delivered. Commissioner Marshall made a motion to approve the request as presented, Vice Chairman Orenstein second. All voted in favor, no one opposed. Motion carried.

**REPORTS - County Manager**

County Manager, Paige Dukes, mentioned a meeting with Attorney, Haynes Studstill, with the Studstill Law Firm, regarding the opioid litigation. Currently, Lowndes County has received approximately \$178,000.00 from the first settlement. After meeting with Mrs. Studstill there is a second settlement and Mrs. Studstill will be attending the next commission meeting to provide a resolution and directions on how to proceed. Mrs. Dukes thanked Mrs. Rachel Bowen for her research and her work with the grants. Lowndes County will be hosting Leadership Lowndes for Local Government Day on Thursday. This Friday and Saturday, Lowndes County Fire Rescue will be celebrating St. Patrick's Day and advertising next year's St. Patrick's Day Parade at Georgia Beer. An invitation was received from Beth Meeks, with Georgia Grown, for the Georgia Grown Agriculture Awareness Week Kickoff, being held Monday at 8:30 a.m. at Fifth Day Farms. Mrs. Dukes stated upcoming ribbon cuttings will be held Thursday, March 23rd at 10:00 a.m. for the Highway 41 Widening Project held at the intersection of Highway 41 North and Clyattstone Road and Friday, March 24th, at 10:30 a.m. at the North Lowndes Sports Complex. Mrs. Dukes stated work will continue on the Griner Property with recent delays due to the weather. Commissioner Marshall asked for a completion date regarding the parking lot in the back of our building, Mr. McLeod responded it is a four-month contract, with a completion date around May 2023.

**CITIZENS WISHING TO BE HEARD -**

J.D. Rice, 501 Knob Hill Drive, addressed the commission regarding petitions collected from citizens in regards to building a memorial tribute to African American military men and women of Lowndes County. Mr. Rice asked that this request for a monument be placed on the next meeting agenda. Mr. Rice submitted petitions he collected.

Mr. Blake Robinson, 3819 Schroer Road, submitted his request after 5:30 p.m. Chairman Slaughter stated that he would speak with Mr. Robinson after the meeting adjourned.

**ADJOURNMENT**

Vice Chairman Orenstein made a motion to adjourn the regular session meeting, Commissioner Marshall second. All voted in favor, no one opposed. Chairman Slaughter adjourned the meeting at 6:12 p.m.