

LOWNDES COUNTY BOARD OF COMMISSIONERS
MINUTES
REGULAR SESSION
Tuesday, February 11, 2025

COMMISSIONERS PRESENT:

Chairman Bill Slaughter
Vice Chairperson Joyce Evans
Commissioner Scott Orenstein
Commissioner Demarcus Marshall
Commissioner Michael Smith

Commissioner Wisenbaker was not present.

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

INVOCATION

Commissioner Demarcus Marshall

PLEDGE OF ALLEGIANCE TO THE FLAG

Commissioner Demarcus Marshall

MINUTES

The minutes were presented for the work session of January 27, 2025 and the regular session minutes of January 28, 2025. No revisions to the minutes were requested. Vice Chairperson Evans made a motion to approve the minutes as presented, second by Commissioner Orenstein. All voted in favor, no one opposed. Motion carried.

PUBLIC HEARING

REZ-2025-01 Hurtado Property, Bethany Dr., ~6.4ac, R-A to R-1, County Water & Septic

County Planner, J.D. Dillard, presented the item. Mr. Dillard stated this request represents a change in zoning on a portion of the subject property from R-A (Residential Agricultural) zoning to R-1 (Low Density Residential) zoning. The general motivation in this case is for the applicant to subdivide the property into conforming lots for individual residences. The subject property possesses road frontage on Bethany Drive and Val Del Road, both local and collector County maintained roads respectively, is within the Rural Service Area and Rural Residential Character Area, which recommend R-1 zoning. Mr. Dillard stated there are no wetlands other than a pond. The TRC recommended approval. Mr. Dillard stated at the Planning Commission meeting the applicant spoke in favor and a few citizens spoke in opposition expressing concerns over storm water, drainage, added traffic, the current sale of 2.5 acre lots on the western portion of Bethany Road, near Bethany Drive, and the Planning Commission questioned the timeline of the Val Del Road improvements and the Planning Commission recommended denial.

Rodney Smith, 4759 Ben Salem Way, spoke against this request. Mr. Smith stated he has been a resident of Lowndes County since 2017, and has worked in Lowndes County since 2003. Mr. Smith mentioned there have been hundreds of homes added to Val Del Road and the traffic has increased substantially. Mr. Smith also mentioned the school zones have changed for his location and, if this area continues to grow, so will the crime.

Matthew Williams, 4775 Bethany Drive, spoke against this request. Mr. Williams stated the infrastructure is not good. Mr. Williams asked how is the county trying to save taxpayers money when the county will have to run lines under Val Del Road to accommodate this project. Mr. Williams mentioned the storm water runoff, leaving the zoning R-A instead of rezoning to R-1, additional traffic issues, and he has lived in this area for forty years. Mr. Williams is not against improvements, but he is against having this subdivision in front of his property.

Lincy Hurtado, 15514 Highway 122 Barney, Georgia, spoke in favor of the request. Ms. Hurtado mentioned she is the builder and is requesting R-1 zoning to build stick-built homes, 2,500-2,750 square feet, four bedrooms, three bathrooms, one acre or more per property, similar in size and style as Creekside West or Union Springs, very comparable to the area. Ms. Hurtado stated this would involve up to five lots.

Commissioner Orenstein asked to clarify with Mr. Dillard the comments Ms. Hurtado made regarding placing five mobile homes on this property, Mr. Dillard answered yes sir, in R-A zoning, under family ties provisions, it does allow for additional homes for family members. Commissioner Orenstein asked what the recommendation of staff is, Mr. Dillard answered R-1 is the most appropriate measure for single low density residential in this area. Commissioner Orenstein asked if she did four of five lots, four lots would be 1.53 acres, per lot, Mr. Dillard answered correct. Commissioner Orenstein asked to clarify Mr. Williams' comments as far as the number of apartments in the area? Commissioner Orenstein asked Director of Engineering Services, Chad McLeod, if he knew the number of apartments, Mr. McLeod asked if he was referring to the apartments behind Camelot Crossing, Mr. McLeod answered he did not have that number, but Mr. Dillard answered 280 units. Commissioner Orenstein asked regarding the county running water to Ms. Hurtado's property, there are no taxpayers paying for this service, Mr. Dillard answered that any development off of the water line would be paid at the expense of the developer. Commissioner Orenstein, asked if a perk test will have to be completed through the health department, Mr. Dillard answered yes, that is correct. Commissioner Orenstein asked regarding drainage running south across Bethany Road, logged wetland areas, property that continues to flood is a flood plain, buildings in a flood plain, Mr. McLeod answered, based on our observation, the water will drain that existing property more towards Val Del Road and the owner of the property has a right to make sure all the water goes where it should go and engineering will get involved in making sure all wetlands have environmental impact studies done. Commissioner Marshall asked with 2.5 acre lots being advertised, can twelve homes be put there, Mr. Dillard answered R-1 does allow for accessory dwelling units that would be limited by lot size. Commissioner Orenstein asked in addition to the primary residence, are there any intentions to build additional accessory structures to house people? Ms. Hurtado answered no. Commissioner Orenstein asked if there would be any mother-in-law suites constructed or mobiles homes placed on the property? Ms. Hurtado answered no. Commissioner Orenstein made a motion to approve with the conditions of no more than five residences on five lots, second by Commissioner Smith. Commissioners Orenstein, Marshall and Smith approved, Vice Chairperson Evans opposed. Motion carried.

REZ-2025-02 Hamilton Green Ph. 2, 4618 Bemiss Rd, 1.12ac, C-G 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 properties from C-G (General Commercial) and P-D (Planned Development) zoning to P-D zoning. The general motivation in this case is for the applicant to develop an additional twelve (12) units of townhomes and amenities for the Hamilton Green neighborhood. The subject property possesses road frontage on Bemiss Road, a state highway, is within the Urban Service Area, Bemiss Corridor Overlay and Neighborhood Activity Center Character Area, which recommend P-D zoning. The applicant is proposing the approximately 1.12 acres to be added to the 2022 site plan for twelve more townhomes also adding additional amenities to the property with pools, gazebos and grilling areas. The TRC and Planning Commission recommended approval. No one spoke against the request. Matthew Inman of Advanced Engineering, 4560 Val North Drive, Suite E, spoke in favor of the request. Mr. Inman stated he is the engineer for the project and the 1.12 acres will be for an additional twelve units, nine additional parking spaces, a pool, clubhouse, gazebo and grilling area in the center of the complex. Commissioner Orenstein asked regarding the twelve units and only nine parking spaces, Mr. Inman answered that those are nine secondary parking spaces. Commissioner Marshall made a motion to approve the rezoning request as presented, second by Vice Chairperson Evans. All voted in favor, no one opposed. Motion carried.

REZ-2025-03 Thomas Linville, 4888 Break Thru Rd., ~16.3ac, R-1 to E-A, Well & Septic

County Planner, J.D. Dillard, presented the item. Mr. Dillard stated this request represents a change in zoning on the subject property from R-1 (Low Density Residential) zoning to E-A (Estate Agricultural) zoning. The general motivation in this case is for the applicant to combine the properties into a single conforming lot for use agriculturally. The subject property possesses road frontage on Break Thru Road and Johnston Road, both locally maintained County roads, is within the Rural Service Area and Agricultural / Forestry Character Area, which recommend E-A zoning. Mr. Dillard stated there are wetlands on the surrounding properties. The TRC and Planning Commission recommend approval. Mr. Dillard stated there were concerns from the neighbors about potential uses of the property and the effect it might have on Break Thru Road. No one spoke against this request. Thomas Linville, 414 4-H Club Road, spoke in favor of the request. Mr. Linville stated they would like all the property to be zoned agriculture and to build a 5,000 square foot building, to store personal items such as an rv, tractors, and motorcycles. Mr. Linville stated there are no chemicals that will be stored on this property. Commissioner Orenstein asked to verify no fire equipment will be stored on this property, Mr. Linville answered there will be no fire equipment, chemicals or extra lighting, only computers and printers. Commissioner Marshall made a motion to approve the rezoning request as presented, second by Commissioner Smith. All voted in favor, no one opposed. Motion carried.

At 6:02 p.m. Commissioner Orenstein made a motion to adjourn the regular session meeting to enter into a scheduled public hearing meeting regarding House Bill 581, second by Commissioner Marshall. All voted in favor, no one opposed. Motion carried.

REZ-2025-04 River Run Farm, 6490 River Run, ~27ac., C-C to R-21, County Water & Septic At 6:34 p.m. Vice Chairperson Evans made a motion to reconvene the regular session, second by Commission Smith. All voted in favor, no one opposed. Motion carried.

County Planner, J.D. Dillard, presented the item. Mr. Dillard stated this request represents a change in zoning on a portion of the subject property from C-C (Crossroads Commercial) zoning to R-21 (Medium Density Residential) zoning. The portion of the property zoned CON (Conservation) is

proposed to remain zoned CON. The general motivation in this case is for the applicant to develop the property residentially. The subject property possesses road frontage on Lake Alapaha Blvd, a locally maintained county road, is within the Urban Service Area and suburban Character Area, which recommend R-21 zoning. Mr. Dillard stated currently the applicant owns approximately 23 acres of R-21 zoning and is requesting an additional 15 acres to be added to the R-21 zoning having a total of 35 acres. The Planning Commission recommended approval of the R-21 zoning with the condition that no more than nine lots be developed on the 15.3 acres. Mr. Dillard updated the commission regarding the utility, fire and drainage information for Lake Alapaha. The TRC recommended approval, and the Planning Commission heard this request and did have opposition from the neighbors speaking regarding water concerns, storm water, fire and EPD reports. The Planning Commission did recommend approval of this request for R-21 with the conditions that no more than nine lots be developed. Commissioner Orenstein asked to verify the drainage issues, are ditches compromised and no longer flowing, is that the reason that the ditches can't be cleaned until the power lines are located, and the power company will be doing that, County Manager, Paige Dukes answered that is correct. Commissioner Smith asked is this to dig the ditches deeper, Mrs. Dukes answered yes, some piping and civil engineering work will be needed as well.

Amy Watts, 5915 Natures Way, spoke against this request. Ms. Watts mentioned concerns as a neighborhood is the quality of the water. Water system in violation since 2010. only year tested not in violation was 2017. The concern is building more houses and this water system cannot support it. Ms. Watts suggested holding off on building more homes until a new system is implemented and tested. Ms. Watts stated there are low tank alerts regarding the fire alarm system and her major complaint is the contaminants and amount of water.

Pete Sturgill, 5805 Live Oak Drive, spoke against this request. Mr. Sturgill purchased his house in 2017 and the location where these houses are being suggested to build, the water stays there. Mr. Sturgill stated about three years ago a group came in to meet with the county manager and were told that the water system would not smell anymore and a study would be done as it was done at the base and we have low pressure and water on the road. Mr. Sturgill stated this has been going on for seven years and nothing has been done.

Joshua Luke, 5801 Live Oak Drive, spoke against this request. Mr. Luke stated his main concerns are the quality of water and being unable to put out fires. Mr. Luke mentioned he has no issues with new residents, but not being able to support the number of homes in the subdivision currently.

Larry Sanders, 6490 River Run, spoke in favor of the request as the applicant. Mr. Sanders mentioned the stipulation that only nine lots could be rezoned, then he would drop this request. Mr. Sanders would like to build nine more houses on Lake Alapaha Blvd. Mr. Sanders mentioned the flooding issue and stated that has been an issue as long as he has lived there. Mr. Sanders stated he is working with the county to address this issue. The quality of the water does not impact the building of house as well as the pressure and flow conditions. Mr. Sanders stated he would be building these homes himself and there would be one - two homes built a year. Commissioner Orenstein asked to clarify, your intentions are R-21 for the entire 15 acres, only do nine lots to begin with, what is the timeline? Mr. Sanders answered possibly three years, he is unsure of the market. Commissioner Marshall asked Utilities Director, Steve Stalvey, what is the protocol for notifying residents of the contaminants, Mr. Stalvey answered tests are done quarterly and letters are mailed out quarterly and a consumer confidence report which goes out in July to the neighborhood. Commissioner Marshall asked before properties are sold in the area are they required to inform new residents of the water quality? Chairman

Slaughter answered there is no requirement. Chairman asked regarding the timeline on the wells and updating the water system. County Manager, Paige Dukes responded there is a March 27th bid opening with a 180 day contract. Chairman Slaughter stated the process is moving forward with the new wells, Mrs. Dukes answered correct.

Chip Wildes, 2806 Pebblewood Drive, spoke in favor of this request. Mr. Wildes stated he owns seventy acres in this area and has no issues with the rezoning, but does have concerns with new residences, not knowing that the area has property that will be used for hunting. Robert Dinkins, 6275 Southern Shores, spoke in favor of this request. Mr. Dinkins stated he sold this property to Mr. Sanders and has no issues with this request.

Opposition - Rebuttal:

Amy Watts, 5915 Natures Way, addressed the commission, stating regarding water quality, these are people coming in to the neighborhood and they should be informed. She gave the numbers from 2015 to current year regarding contaminants. Ms. Watts stated if you want to approve this rezoning that is fine, but the people moving in should be notified that the water quality is substandard. Commissioner Marshall made a motion to deny this rezoning request, it failed for lack of a second. Commissioner Orenstein made a motion to approve the request as presented R-21 zoning following staff recommendations, approving the entire fifteen acres, second by Vice Chairperson Evans. Vice Chairperson Evans and Commissioner Orenstein voted in favor and Commissioners Marshall and Smith voted to deny this request. Chairman Slaughter voted in favor of this rezoning request to break the tie.

FOR CONSIDERATION

Resolution Authorizing the Lowndes County Tax Commissioner to Receive Checks and Money Orders in Payment of Taxes and Licenses

County Manager, Paige Dukes, presented the item. Mrs. Dukes stated at the request of the newly elected Tax Commissioner, this resolution is being presented for your consideration, and it is authorized by Georgia statute. Commissioner Marshall made a motion to approve the resolution as presented, second by Commissioner Orenstein. Commissioner Smith stepped out of the room and was unavailable for the vote. Vice Chairperson Evans, Commissioner Orenstein and Commissioner Marshall voted in favor. Motion carried.

A Resolution Electing Not to Require Mobile Home Decals

County Manager, Paige Dukes, presented the item. Mrs. Dukes stated at the request of the Tax Commissioner, the resolution is being presented for consideration. It is authorized by Georgia statute. Issuing mobile home decals creates an expense that does not assist the Tax Commissioner in identifying mobile homes for which the Tax Commissioner has not issued a mobile home location permit. Mrs. Dukes mentioned this is a savings of \$4,000.00 in regard to printing the decals. Vice Chairperson Evans made a motion to approve the resolution as presented, second by Commissioner Orenstein. All voted in favor, no one opposed. Motion carried.

Beer and Wine License - Manishkumar Patel of Kasumbal 2025 LLC, DBA Busy Food Mart, 6901 Bellville Road, Lake Park, GA

Finance Director, Stephanie Black, presented the item. Ms. Black stated this request is for a license to sale beer and wine for consumption off premises. This is due to a change in ownership.

Commissioner Marshall made a motion to approve the license as presented, second by Commissioner Smith. All voted in favor, no one opposed. Motion carried.

New Endpoint Detection and Response (EDR) Software

IT Director, Aaron Kostyu, presented the item. Mr. Kostyu stated Endpoint Detection and Response software is a new purchase and the request is to purchase Vendor A in the amount of \$44,800.00 per year, with a three-year commitment. Commissioner Marshall made a motion to approve the purchase with Vendor A in the amount of \$44,800.00 per year, second by Commissioner Orenstein. All voted in favor, no one opposed. Motion carried.

Whitewater Road Lift Station Pump

Utilities Director, Steve Stalvey, presented the item. Mr. Stalvey stated the Whitewater Road lift station is a triplex station on our trunk leading to the LAS. One of the older pumps is out of service. Mr. Stalvey stated the repair cost is seventy-five percent of the cost of a new pump. The new pump comes with a N-impeller which is on the other pumps and is \$46,446.52 from Xylem, Inc. Commissioner Marshall asked the anticipated installation date, Mr. Stalvey asked between one-two months. Commissioner Smith asked if the warranty is one-year, Mr. Stalvey answered yes, that is correct. Commissioner Marshall made a motion to approve the request to purchase a new pump from Xylem, Inc. in the amount of \$46,446.52, second by Commissioner Smith. All voted in favor, no one opposed. Motion carried.

Acceptance of Hazard Mitigation Grant for Generators

EMA Director, Ashley Tye, presented the item. Mr. Tye stated Lowndes County was recently notified that we were awarded grant funding that we applied for in 2019. This funding is for a Mitigation Grant that will provide emergency backup generators for each of the five Pruitt Health facilities in Lowndes County. The prices are going to be significantly different than they were in 2019. Mr. Tye stated we also have a letter from the Chairman and CEO of Pruitt Health confirming that they will be responsible for any cost over or above what GEMA and FEMA provide. Commissioner Orenstein thanked Mr. Tye for his hard work. Commissioner Marshall also thanked Mr. Tye and asked a question regarding connection points/disconnects, is it based on a particular size, to which Mr. Tye responded the transfer switch is based off of the size of the generator. Each facility has a different generator based on size and the transfer switch is matched to that size generator. Mr. Tye stated if the transfer switch gets installed before the generator, and they have a loss of power, we can have a portable generator brought in that matches so that we can at least be able to plug in. He further stated it makes it a lot easier when the transfer switch is already there. Chairman Slaughter asked if this includes transfer switches and generators. Mr. Tye responded yes, this includes everything. Mrs. Dukes stated she wants everyone to understand that we can get the transfer switches in, but until the specific generators are delivered, then we would have to make a resource request if we were in an emergency situation to try to get the proper generator here. Chairman Slaughter stated the fix is not until we get the transfer switches and generators onsite. Mr. Tye replied, yes, when the project is done, they will have a generator sitting there onsite dedicated to that facility, and when the power goes out the generator will come on. Commissioner Smith asked if they will all run on diesel, Mr. Tye responded yes. Commissioner Marshall made a motion to approve the request as presented, second by Vice Chairperson Evans. All voted in favor, no one opposed. Motion carried.

The Crescent Place of Historic Interest Tax Exemption

County Manager, Paige Dukes, presented the item. Mrs. Dukes stated as reported yesterday morning, there were questions this past appeal season regarding the eligibility of exemption for the Crescent

through the property owned by the Garden Center. Mrs. Lisa Bryant, who works in the Board of Assessors' Office, did significant research to find the older records that qualified the Crescent, and she worked with the County Attorney's Office. If the Board chooses to approve the resolution, it will permanently exempt the Garden Center and the Crescent facility. Commissioner Marshall asked if they had been paying in the past. Mrs. Dukes responded no. Commissioner Smith asked if the Crescent's main structure was exempt, but the Garden Center was not. Mrs. Dukes responded no, it has all been exempt for many years. Commissioner Orenstein made a motion to approve the resolution as presented, second by Commissioner Smith. All voted in favor, no one opposed. Motion carried.

Rules and Regulations for Claims for Refunds of Taxes

County Manager, Paige Dukes, presented the item. Mrs. Dukes stated this is an update of a resolution that had previously been in place. The update is due to the new Tax Commissioner, Clay Guess taking office January 1, 2025. Commissioner Marshall made a motion to approve the resolution, second by Vice Chairperson Evans. Commissioner Orenstein stepped out of the room and was unavailable for the vote. Vice Chairperson Evans, Commissioners Marshall and Smith voted in favor. Motion carried.

REPORTS - County Manager

County Manager, Paige Dukes, reported the following:

EMA Director, Ashley Tye, has brought an idea to the table that is not going to cost the County any money, but will cost Utilities Director, Steve Stalvey, quite a bit of time, but it is definitely worth it. Through research and conversations about private water systems that were not generator powered during Hurricane Helene. Mr. Tye has worked tirelessly to clarify with FEMA that the same mitigation process that the Board just approved for the nursing homes can be made available to the owners of private water systems. Mr. Stalvey and his staff have gone through and reconciled the list of private water systems that Lowndes County has and there are approximately 18 owners of the 69 systems. If the Board does not have any objections, we plan to move forward with Mr. Stalvey's staff contacting the owners, having a meeting, bringing them in to find out if they are interested in making the same application for generators for those private water systems that the nursing homes took advantage of for their facilities. Depending on FEMA's timeline, this could be something that is a few years in the making, but at least we are moving in the right direction. FEMA will pay 75 percent of the generator cost, and then there is a question of how the 25 percent will be split between possibly GEMA and the owner of the water system. Money will not come out of the County's budget for this, other than for staff's time. We believe that this is the most efficient and cost-effective way to move forward. If you all do not have any objections to that, we will move forward. Chairman Slaughter stated he absolutely supports it. He further stated one of the big issues during the hurricanes, as you all know, is that the private well systems had no electricity. Chairman Slaughter stated it is one thing to have no electricity, but something else to have no water. This will hopefully go a long way to resolving that issue if there is cooperation from system owners. Commissioner Michael Smith asked if there will be one group application, to which Mrs. Dukes responded there will be an individual application for each owner. Mrs. Dukes stated we will be here to walk everyone through the system. Some system owners own eight to ten or more water systems, so there is a possibility that they are able to group those applications as far as their ownership goes. We would have to work that out with FEMA. There is an April 1, 2025 deadline. Mrs. Dukes stated Mr. Stalvey has his staff on hold ready to move forward if there are no objections. Chairman stated if no one has any objections, staff will go ahead and pursue this opportunity. Commissioner Orenstein stated he has checked with GEMA to see if they can help offset the 25 percent. Mrs. Dukes stated, Mr. Stalvey will also have conversations with the Georgia Rural Water Association to see if there is anything available.

On Friday, Lowndes County will be hosting Leadership Moody, which is Moody Air Force Base's equivalent of Leadership Lowndes. They will be at Public Works from 8:30 a.m to 10:30 a.m. if anyone would like to join us, you are welcome to come.

February 16, 2025, kicks off National Engineering Week. Mrs. Dukes thanked Director of Engineering Services, Chad McLeod and his staff for everything they do.

Sheriff Ashley Paulk has requested to rename a facility on his campus after Captain Sam Temples who worked at the Sheriff's Office for many years. This will take place on Friday, February 21, 2025.

February 21, 2025, is Government Communicators Day. Mrs. Barwick is not present tonight, but we are better because of her efforts. We will celebrate her on this day.

CITIZENS WISHING TO BE HEARD – none

ADJOURNMENT

Commissioner Orenstein made a motion to adjourn the meeting, second by Vice Chairperson Evans. Chairman Slaughter adjourned the regular session meeting at 7:25 p.m.