



LEE COUNTY BOARD OF COMMISSIONERS
T. PAGE THARP GOVERNMENTAL BUILDING
102 STARKSVILLE AVENUE NORTH, LEESBURG, GEORGIA 31763

Tuesday, July 23, 2024 AT 6:00 PM
T. PAGE THARP BUILDING
OPAL CANNON AUDITORIUM
WWW.LEE.GA.US

MEETING MINUTES
Voting Session

COUNTY COMMISSIONERS

Luke Singletary, Chairman, District 2
Chris Guarnieri, Vice-Chairman, District 4
Dennis Roland, Commissioner, District 1
Billy Mathis, Commissioner, District 3
George Walls, Commissioner, District 5

COUNTY STAFF

Christi Dockery, County Manager
Kaitlyn Good, County Clerk
Jimmy Skipper, County Attorney

The Lee County Lee County Board of Commissioners met in a voting session on Tuesday, July 23, 2024. The meeting was held in the Opal Cannon Auditorium of the Lee County T. Page Tharp Governmental Building in Leesburg, Georgia. Those present were Chairman Luke Singletary, Vice-Chairman Chris Guarnieri, Commissioner Dennis Roland, Commissioner Billy Mathis, and Commissioner George Walls. Staff in attendance were County Manager Christi Dockery, County Clerk Kaitlyn Good, and County Attorney Jimmy Skipper. The meeting was also streamed on Facebook Live. Chairman Singletary called the meeting to order at 6:00 PM.

1. **CALL TO ORDER**

2. **INVOCATION**

- A) Pastor Jonathan LeBarge, New Hope Baptist Church, to lead the invocation.
Pastor Jonathan LeBarge led the invocation.

3. **PLEDGE OF ALLEGIANCE**

4. **APPROVAL OF MINUTES**

- A) Consideration to approve the minutes for the July 9, 2024 meeting of the Board of Commissioners.

Commissioner Roland made the **MOTION** to approve the minutes for the Board of Commissioners meeting for July 9, 2024. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Mathis voting yea.

5. **CONSENT AGENDA**

6. **NEW BUSINESS**

- A) Recognition of employees' years of service.

The following employees were recognized for their many years of service to Lee County:

5 years: Rita Cline - Tax Record Technician, Tax Assessor's Office
10 years: Russ Snow - 1st Lieutenant - Investigations, Sheriff's Office
15 years: Daphne Lindsey - 1st Lieutenant - Investigations, Sheriff's Office
15 years: Kyle Lentz - Fire Safety Educator, Fire & EMS

- B) Patsy James, Executive Director of Lee County Family Connection, to provide the year end report.

Patsy James, Executive Director of Lee County Family Connection, provided the year end report to the Board. Ms. James noted that she had 15 years of service with Family Connection. She gave the summary of the year ending on June 30th. Ms. James discussed Backpack Blessings, a program that has been in place for around 12 years and helps children Kindergarten through Fifth Grade. This year they were able to pack 4,030 bags with the help of eight teams of volunteers.

Ms. James shared that Literate Lee, their early literacy program where monthly book clubs are facilitated by retired educators for Pre-K, Headstart, Kindergarten, First Grade, and Second Grade children, were able to give out 2,158 books and 151 sets of summer books this year. She discussed the food distributions that have taken place over the summer, stating that they were about to be doing their third and last distribution. They have been able to make 300 boxes at each distribution and will have four different locations set up for their last distribution. Ms. James stated that the County has been helpful for allowing them to use facilities in the County, and thanked them for their support.

Ms. James discussed the Junior Youth Leadership Lee Academy, stating that they are going into their third year in this program. Students start in 8th grade then have the option to become ambassadors throughout their high school years. Ms. James informed the Board that JYLLA is being recognized and will be receiving a Georgia City Solutions Community Impact Award in October at the Atlanta Zoo. Core partners for this program include all Lee County Family Connection, the School System, the Chamber of Commerce, the City of Leesburg, the Board of Commissioners, and the Library System. Additionally, the Southwest Georgia Leadership Program has contacted them and wants to work on replicating the program on a regional level.

7. **PUBLIC HEARING**

- A) The Board of Commissioners will hold a Public Hearing for a Variance Application: **Palmyra Subdivision XII (Z24-009)** Lanier Engineering has submitted an application requesting a variance from the requirement for new residential subdivisions in accordance with section 70-94 of the Lee County Code of Ordinances. The property owner is Billy Boggus Construction, LLC. The subject property is zoned R-1 and is located off Fussell Road, parcel number 029C003, in Land Lot 248 & 233 of the Second Land District of Lee County, Georgia. **Planning department staff and Planning Commission members recommend denial, with a 5-1 vote.**

Chairman Singletary opened the Public Hearing.

Interim Planning Director Joey Davenport provided a summary of this variance application, stating that information was in their packet regarding this variance, including a plat that is indicated to have been approved in 2004. He stated this application was requesting to have seven to eight percent greenspace when twenty-five percent is required by the ordinance, which is why it was denied. Staff recommended denial and the Planning Commission denied the application in a five to one vote. Mr. Davenport informed the Board that Mr. Bobby Donley was in attendance if they or any audience members had any questions for him. Commissioner Guarnieri then asked if this would set a precedent for future developments. Mr. Davenport stated that he personally believed it would; if the Board approves this variance then there will be others seeking the same. Mr. Davenport added that when this ordinance was brought to the Board regarding amending it, the Board was opposed to reducing the requirements for greenspace and that was considered in denying the application.

Chairman Singletary asked if there was a plat approved for this subdivision or if it was for a different phase. Mr. Davenport stated that Mr. Donley could better answer that question; however,

they do have a preliminary plat, but he is unaware if there was any approval issues. Chairman Singletary asked if there was a time limit from when a plat is approved to when development must start. Mr. Davenport answered that there is a time limit and the 2004 plat exceeds it. He believes they provided this plat to show it had been done previously. He continued and stated that this would be the last section of Palmyra Subdivision. He then stated that all sections south of Fussell Road predated the greenspace ordinance. There was a minor subdivision that was not subject to the ordinance and another subdivision that should have been subject, but was not. Commissioner Roland asked if the applicant owned the land back when the plat was approved in 2004. Mr. Davenport stated it was previously owned by Mr. Doug Wingate, the new owner recently acquired it, Mr. Wingate built all of Palmyra subdivision up until this phase. Commissioner Roland asked how big the lots and houses are to which Mr. Davenport answered that they are three-quarter acre lots.

Bobby Donley, Lanier Engineering, was available to answer any questions regarding what the developer plans to do regarding the size of homes. He informed the Board that they did not submit the new preliminary plat expecting the 2004 plat to still be active. He stated that whenever a client approaches them regarding projects like this, before they give any support, they will ask specific questions. Mr. Donley stated that the first thing they looked at was if there was anything regarding this property that makes it eligible for this variance that other pieces of property wouldn't have. He explained that they believe this subdivision is eligible for this variance given that it is the last section of an existing developed subdivision. The shape of the property is fixed to only allow road configuration as it always has been.

Mr. Donley stated that the preliminary plat that he originally found was from 2000 and was updated in 2004. Greenspace did not become a requirement until the new ordinance issued in 2005. He stated that it all predated the greenspace requirements and the current preliminary plat is, with the exception of the greenspace being cut out, a direct match to the rest of the subdivision. It has the same number of lots and all of the proposed lot dimensions match the lot dimensions for the rest of the subdivision, which is a 125 foot lot, allowing for a side entry garage. Mr. Donley stated that the property will be developed as it is not a zoning issue. The only question is if it will be allowed to be developed in the same manner that it was intended to be developed and be able to match the rest of the subdivision. Without the variance, there would be fewer lots as seven or eight lots would be lost in greenspace and the roads would have to be shrunk. This would pull the lots down to 100 feet wide, meaning room only for a front entry garage rather than a side entry garage. He stated the developer, Mr. Boggus, said that if the subdivision is allowed to be built with the same dimensions that were intended and match the rest of the neighborhoods, he would match the covenants of the previous neighborhood, which is 2,000 foot minimum with a side entry garage.

The Planning Commission told him that their biggest concern seems to be setting precedence with this variance, Mr. Donley stated that he understood this, but he can not think of any other property that would fit the same mold as this one since it was an existing phase that was already submitted before the greenspace ordinance. Mr. Donley read from the ordinance and stated that they are asking for it to be developed in uniformity with the rest of the subdivision. Commissioner Roland asked how many acres the last phase is, Mr. Donley answered the last phase is 36 acres. Commissioner Roland asked if there are wetlands involved. Mr. Donley stated that there are around four acres of stormwater areas, but there are no wetlands. Commissioner Guarnieri stated that at 25% it would be around six acres. Mr. Donley stated that is correct. When he figured it up, it seemed to be about 7 to 8 of the three-quarter acre lots would be lost.

Public Comments

Mr. Billy Gaskins stated that he moved to Lee County as they heard that it was one of the best counties to raise a family and retire. He has concerns regarding a project behind his home on Amelia

Lane. He said that most of the homes in his area are around 2,400 square feet and now the homes are starting to come in smaller. He is concerned about the property value in his neighborhood due to this. Mr. Gaskin mentioned that he is concerned regarding the roundabout on Ledo Road and the traffic at the nearby red light. He complimented the Lee County Sheriff's Office, but stated that things have changed since they purchased their home six years ago. Chairman Singletary asked if he is opposed or in favor of the variance. Mr. Gaskins answered that he wants to require the greenspace. Chairman Singletary stated that as Mr. Donley said, they are going to build houses with or without the variance and they may reduce road size. Mr. Gaskins stated that he wished they would do it in phases and that he understands everyone wants to purchase a new home, but he wants to protect his property value.

Mrs. Connie Gaskins spoke in favor of this variance. She stated that initially the general consensus was one of opposition to this change from 25% to 7% greenspace. Mrs. Gaskins stated that after speaking to other homeowners and hearing Lanier Engineering explain, this would have a positive impact as it would allow them to stay within the covenants. She said that this would allow garages to open from the side which is preferred. If this is not approved, then they will be forced to change the lot configuration to have front opening garage doors. She said while the covenant is not law, it is the foundation of the neighborhood. Mrs. Gaskins discussed different things in the covenant, including drain pipes that lead from the driveway to the road and the front entry garages. She stated that Mr. Boggus stated that he was absolutely willing to adhere to the covenants and to apply it to his subdivision. She restated that homeowners understand that covenants are not law but have been upheld. Mrs. Gaskins said that they are not opposed to growth and development, but they do expect that individuals respect their neighbors so they can all share in the benefits of this development.

With no further comments or questions from the Board, staff, or audience, the Public Hearing was closed.

8. **DEPARTMENTAL MATTERS**

A) **Planning, Zoning & Engineering - Review of the minutes from the May 2, 2024 Planning Commission meeting.**

The meeting minutes were reviewed as presented.

9. **CONSTITUTIONAL OFFICERS & GOVERNMENTAL BOARDS/AUTHORITIES**

10. **COUNTY MANAGER'S MATTERS**

A) **Update on County projects.**

County Manager Christi Dockery discussed ongoing projects in the County, including (1) Staff and GEMA representatives have been working together to form a Disaster Recover Redevelopment Plan; (2) They have received all the parts for the Smithville tower and are currently waiting on permits to begin construction; and (3) Windstream has provided an update that they are making good progress and are expected to be done in 2025; they are working very closely with Sumter EMC and Georgia Power.

B) **Consideration to award the bid for flooring in the Tharp Building.**

County Manager Christi Dockery stated the County has not used New World Restoration before, but their references with other Counties were checked. She reminded the Board that the current carpet and paint was sixteen years old from when the offices moved here in 2009. Commissioner Guarnieri asked if this would be paid all out of ARPA funds, to which Ms. Dockery stated that it would.

Commissioner Guarnieri made the **MOTION** to award the bid to New World Restoration, the lowest responsive bidder, at a cost of \$99,125.81 to come from ARPA funds. Commissioner Roland seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Mathis and Commissioner Walls voting yea.

C) Consideration to award the bid for painting in the Tharp Building.

County Manager Christi Dockery stated that they would do this project on the weekend and after work hours, and Public Works staff will be present.

Commissioner Roland made the **MOTION** to award the bid to Affordable Painting, the lowest responsive bidder, at a cost of \$75,000.00 to come from ARPA funds. Commissioner Guarnieri seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Mathis and Commissioner Walls voting yea.

D) Consideration to adopt Chapter 22, Article V: Motion Picture, Television, and Photographic Production to the Lee County Code of Ordinances. *First Reading held July 9, 2024*

Chairman Singletary stated that the changes that were discussed at a previous meeting, including appeals coming to the Board of Commissioners, were made and in the presented document.

Commissioner Mathis made the **MOTION** to adopt Chapter 22, Article V: Motion Picture, Television, and Photographic Production to the Lee County Code of Ordinances pending review by County Attorney Jimmy Skipper. Commissioner Roland seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Walls voting yea. *First Reading held July 9, 2024*

E) Consideration to approve a two (2) year Billing Services Agreement with EMS Management & Consultants, Inc.

Chairman Singletary stated that this was a kind of renewal as the previous company was bought out. The new company is honoring the existing terms; however, an agreement with the new company obviously needs to be completed.

Commissioner Roland made the **MOTION** to approve a two (2) year Billing Services Agreement with EMS Management & Consultants, Inc. Commissioner Guarnieri seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Mathis and Commissioner Walls voting yea.

F) Consideration to approve a MOU with the Flint Riverkeeper's Office for the 2024 Rivers Alive event.

Chairman Singletary stated that this event will be held on September 21, 2024.

Commissioner Roland made the **MOTION** to approve a MOU with the Flint Riverkeeper's Office for the 2024 Rivers Alive event with a cost of \$5,000.00. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Mathis voting yea.

G) Consideration to declare vehicles and equipment surplus.

Commissioner Roland made the **MOTION** to declare the following vehicles and equipment surplus: a 2006 CAT 950 Loader, 1992 F-800 Dump Truck, 2006 John Deere 5425 Tractor, 2000 Sterling

Truck Jet Vac, 2008 F-350 Super Duty Flatbed, 2008 E-450 Super Duty Bus, 2015 Dodge Charger, and a 2008 Ford Crown Victoria. Commissioner Guarnieri seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Mathis and Commissioner Walls voting yea.

11. **COMMISSIONER'S MATTERS**

A) **Discussion of the 2025 LMIG application and potential projects.**

County Manager Christi Dockery, discussed LMIG 2025 with the Board, stating that the formula for Lee County in 2025 is approximately \$705,000.00 and will match it 30% for a total of over \$915,000.00. She stated that if the Commissioners have any roads they want to be considered, then staff can bring them back an estimate and bring all roads to be approved at one time. This funding will be combined with the LRA funding that was received last month. Chairman Singletary stated that he wanted to point out that on one of the spreadsheets had the Grand Island Road as unencumbered, so the estimated total is currently around \$5.5 million and not the \$8.5 million that was listed. He also stated that Ms. Dockery spoke with representatives from the City of Albany and they will be repaving their portion of Ledo Road probably in 2025. Chairman Singletary stated the County would get a better deal in doing the repaving with the City and asked the Board to consider it.

Commissioner Mathis asked how Grand Island Road came off the list. Ms. Dockery said it is still listed as encumbered. Heather Jones, Finance Director, stated that it was not taken off the list. The original list they have has notes that state if they were to unencumber certain roads then they would have a new amount of money. Commissioner Mathis stated he understood that, but the language was confusing. Chairman Singletary agreed that it was a bit confusing. Commissioner Mathis asked that for future lists staff not place any notes of unencumbered roads as it would be less confusing if the Board decides to unencumber something. Ms. Dockery added that she sent a SPLOST and TSPLOST list that shows the roads are still encumbered.

Commissioner Mathis stated that Liberty Holding Pond, which is in his district, has never voted to encumber the money and would like to take the \$33,130.00 off, if that is the will of the Board. Chairman Singletary asked Commissioner Mathis if he means that he wishes to unencumber those funds. Commissioner Mathis stated that is what he meant. He asked if with all the funds there is \$6 million and once it is bid out it would be \$7 or \$8 million. Commissioner Mathis asked if Ledo Road could be the LMIG road for next year, which would give the County around \$1 million for that road. The remaining Board members voiced support.

12. **UNFINISHED BUSINESS**

13. **COUNTY ATTORNEY'S MATTERS**

14. **EXECUTIVE SESSION**

A) **Executive Session to discuss personnel matters.**

Commissioner Roland made the **MOTION** to adjourn to Executive Session. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Mathis voting yea. Time: 6:50PM

Commissioner Walls made the **MOTION** to adjourn from Executive Session. Commissioner Roland seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Mathis voting yea. Time: 7:59PM

15. **PUBLIC FORUM**

The Public Forum was held before the Executive Session.

Sam Johnson – State of Old Leslie Road

Chairman Singletary asked if anyone else would like to speak.

With no further comments or questions from the audience, the Public Forum was closed.

16. **ANNOUNCEMENTS**

A) The next meeting of the Board of Commissioners will be held August 13, 2024 at 6:00pm.

B) The Lee County Rivers Alive annual clean-up event will be **Saturday, September 21, 2024 from 9:00am to 1:00pm**. There will both be on water and on land opportunities to volunteer. A Waiver must be signed for participation. Please contact the Lee County Chamber of Commerce at (229) 759-2422 for more information.

17. **ADJOURNMENT**

The meeting adjourned at 8:00PM.

CHAIRMAN

ATTEST:

COUNTY CLERK