



LEE COUNTY BOARD OF COMMISSIONERS

T. PAGE THARP GOVERNMENTAL BUILDING

102 STARKSVILLE AVENUE NORTH, LEESBURG, GEORGIA 31763

Tuesday, September 10, 2024 AT 6:00 PM

T. PAGE THARP BUILDING

OPAL CANNON AUDITORIUM

WWW.LEE.GA.US

MEETING MINUTES

Work 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 work session on Tuesday, September 10, 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 Lee Smith, First Methodist Church of Leesburg, to lead the invocation.

Pastor Smith led the invocation.

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

- A) Consideration to approve the minutes from the Special Called Joint Meeting held August 27, 2024 with officials from the City of Leesburg and the City of Smithville.

Commissioner Roland made the **MOTION** to approve the minutes from the Special Called Joint Meeting held August 27, 2024 with officials from the City of Leesburg and the City of Leesburg. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Mathis voting yea.

- B) Consideration to approve the minutes from the August 27, 2024 Board of Commissioners meeting.

Commissioner Roland made the **MOTION** to approve the minutes from the August 27, 2024 Board of Commissioners meeting. Commissioner Guarnieri seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Mathis and Commissioner Walls voting yea.

5. CONSENT AGENDA

6. **NEW BUSINESS**

7. **PUBLIC HEARING**

- A) **Lanier Engineering, LLC. (Z24-012)** has submitted an application requesting to rezone a total of 14.862 acres, at the rear portion of the parcel, from R-1 (Single-Family Residential District) to C-2 (General Business District). The property owner is Trioxlor 1, LLC. The subject property is located at 3268 Palmyra Road, parcel number 040B009, in Land Lots 267 and 268 of the First Land District of Lee County, Georgia. **Staff and the Planning Commission recommended approval, with the following condition:** The proposed development must reduce impacts on the bordering freshwater pond (and wetlands, if identified) to the extent possible. Wetlands preservation affects the quality of life of residents by reducing flood hazard potential and maintaining water quality, which is critical to health and the economy.

Chairman Singletary opened the Public Hearing at 6:03PM

Assistant Planning Director Amanda Nava summarized the application, stating that this parcel is currently being used as commercial in the front and the applicant would like to extend the C-2 zoning to the back portion of the lot.

Commissioner Mathis discussed an issue with the language and asked what they would need to do to mitigate the issue with the water. Ms. Nava stated that that was placed in the staff report to let the Planning Commission know that it is a freshwater pond and to make sure the standards are followed for that. She stated that it does not have to be placed in the zoning. Commissioner Mathis stated that the language would need to be worked on.

Bobby Donley, Lanier Engineering, summarized this application stating that the pond does hold water, but it is Oxford's retention pond that sits on the backside of the property. He stated that they have gotten an approved plan from the state to do a retention pond expansion. Mr. Donley said that this zoning is to get the property in line with the way it is currently being utilized.

With no further comments from the Commissioners, staff or the public. Chairman Singletary Closed the Public Hearing at 6:08PM.

- B) **Lanier Engineering, LLC. (T24-002)** has submitted a request to amend **Chapter 70 of The Code of Ordinances of Lee County, Article VI, Section 70-196**, so as to amend the requirement for sewer system in the R-2 Multi-Family Residential District, to provide the option of private community septic systems as follows: **Public Water and sewer shall be required. In the event that accessibility to such is not available, the development shall have access to a Public Water system and shall be served by a Private Sewage Management System approved by the Environmental Health Department or the Georgia Department of Natural Resources, Environmental Protection Division, whichever is applicable. Staff recommended denial and the Planning Commission recommended approval with a vote of 6-1.**

Chairman Singletary opened the Public Hearing at 6:09PM.

Assistant Planning Director Amanda Nava summarized this application. She stated that currently in the R-2 ordinance there is a requirement for public water and sewer. Lanier has proposed to take that portion out of the zoning text and replace it with the allowance for private water and sewer systems. Ms. Nava stated that based on the moratorium that the Commission placed recently, staff feels that this is an opportunity to do a collaboration to look at the R-2 zoning ordinance as a whole. She said staff has recommended denial so as to allow them more time to clean up the entire R-2 ordinance instead of making small changes that will not just affect one specific property, but all existing and

future R-2 properties. The Planning Commission recommended approval; however, they changed the wording from what the applicant proposed.

Bobby Donley, Lanier Engineering, and Jason Wiggins, applicant, discussed this application. Mr. Donley stated that this application is different since it was filed as a zoning application being a text amendment. He said that while looking into an R-2 development project, they submitted the application and staff review pointed out that one of the requirements was that public water and public sewer shall be required. Mr. Donley said before submitting the application they were aware of the moratorium and capacity for the sewers. The owner and developer then started looking at other options that wouldn't add stress to the sewer system. The property is around 1,000 feet from the sewer. One of the first things they looked at was a pump station and connecting to sewer, but with the capacity, they decided to go with another option and began looking at individual shared onsite private systems.

Mr. Donley stated they consulted with an engineer that does this work and discussed how it would be an intensive soil study, which could be around \$30-40k. They decided to look at zoning first and met with staff to discuss their options. Mr. Donley stated that direction was given that the better option would be a text amendment, which was then submitted prior to the R-2 moratorium being adopted by the Board. He stated that at the Planning Commission meeting one of the main reasons for their recommendations was the previous wording, as it made it sound like an individual on-site system would be allowed even if sewer was available. The private on-site system would only be allowed if no sewer access was available.

Commissioner Roland asked how many houses could be put on this system. Mr. Wiggins stated that a part of the soil study was to see how much it would be able to handle with the system that is planned. He added that this would be a fifty-five and older community. They went in the direction of this community due to the school capacity they were made aware of. He said that Mr. Donley has already completed some preliminary engineering work, but they still need to complete the extensive test to see how many units can be placed. Their proposed drainfill is close to 15 acres, with a portion of this acreage being allotted for redoing the drainfill in the future. Commissioner Walls asked if this development would be off of Lovers Lane Road. Mr. Donley said that it would be off of Forrester Parkway and Lovers Lane Road. Commissioner Walls stated that he heard this development would be around 478 houses. Chairman Singletary said that there is a portion of the development that is R-1 and is not part of the septic system. Mr. Wiggins clarified that the portion is 3/4 lot with septic and county water. Commissioner Guarnieri asked if they would be building single family homes first and then move to the rest of the project. Mr. Donley said that they will and have submitted the full plans, they are working to get Phase I of the single family homes started. The max total units, including single family homes, is 350.

Commissioner Walls asked for clarification regarding this being zoned R-1 but being shown as R-2. Mr. Donley stated that it is R-1 but a zoning application was submitted for R-2, which initiated this possible text amendment. Commissioner Walls asked if they would be selling or renting the units, to which Mr. Donley replied that it would be a mix of both. This project will be a \$15 million to \$20 million development. Commissioner Roland asked if there are many of these systems in Georgia. Mr. Donley said that they are seeing more of these as many people are trying to get away from gravity sewer systems and treatment plant capacities. Each house would have its own advanced septic tank, but would have a shared drainfill. Mr. Wiggins stated that this is regulated, the whole process from start to finish could be over a million dollars just for this system. Commissioner Walls asked if they are discussing having a lift station at each apartment. Mr. Donley stated they would have a septic tank and a pump that would go to a common shared drainfill, this would be on Utility Authority water but not on the sewer. Commissioner Walls stated that he does not like the current R-

2 ordinance. Commissioner Mathis stated that staff has been talking about rewriting this for a while and this seems like the perfect opportunity to do it. He said he believes they should follow staff recommendation and allow them time to rewrite the entire ordinance.

Mr. Wiggins said that they have been working towards this for three years and, based off recommendations, they felt they were headed in the right direction. They had talked about tying into the sewer, but the capacity is not there, which is why they have gone this route. Mr. Wiggins asked what the process of rewriting the ordinance would look like. Commissioner Mathis said that the staff would put it together and get it to the Board. Interim Planning Director Joey Davenport said that they are looking at having a study done, and the process may take a few months. Chairman Singletary asked what the timeline is for this project. Mr. Donley stated that it would be done in phases; the timeline started mid-May when they submitted the application. Mr. Wiggins stated that this is an extensive process due to time and studies. In a perfect world, they would move from one project to the next.

With no further comments from the Commissioners, staff or the public. Chairman Singletary closed the Public Hearing at 6:30PM.

8. DEPARTMENTAL MATTERS

A) Public Works - Consideration to award the bid for the five (5) year lease of a Track Excavator.

Commissioner Mathis asked if they could go ahead and approve the lowest bid for all of them instead of individually. Chairman Singletary stated that there is one bid that Public Works Director Mike Sistrunk may need to discuss. Mr. Sistrunk informed the Board that for one piece of equipment, the lowest bid was for 3,000 hours; however, Yancey was around \$200.00 higher but their bid is for 5,000 hours. He stated that the front loaders play a very big role in what Public Works does every day, and the extra hours would be very helpful for them. Chairman Singletary clarified with Mr. Sistrunk that it was his recommendation to go with Yancey for all four bids. County Manager Christi Dockery noted that these are budgeted, but the prices did go up since it has been five years since this was last put out for bid. All bid awards were made in one motion.

Commissioner Mathis made the **MOTION** to award the bid for the five (5) year lease of a Track Excavator to Yancey CAT for a cost of \$2,780.65 per month. Commissioner Roland seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Walls voting yea.

B) Public Works - Consideration to award the bid for the seven (7) year lease of a Motorgrader.

Commissioner Mathis made the **MOTION** to award the bid for the seven (7) year lease of a Motorgrader to Yancey CAT for a cost of \$3,064.92 per month. Commissioner Roland seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Walls voting yea.

C) Public Works - Consideration to award the bid for the five (5) year lease of a larger Front End Loader.

Commissioner Mathis made the **MOTION** to award the bid for the five (5) year lease of a larger Front End loader to Yancey CAT for a cost of \$3,445.51 per month. Commissioner Roland seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Walls voting yea.

D) Public Works - Consideration to award the bid for the five (5) year lease of a smaller Front End Loader.

Commissioner Mathis made the **MOTION** to award the bid for the five (5) year lease of a smaller Front End Loader to Yancey CAT for a cost of \$3,159.52 per month. Commissioner Roland seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Walls voting yea.

9. CONSTITUTIONAL OFFICERS & GOVERNMENTAL BOARDS/AUTHORITIES

10. COUNTY MANAGER'S MATTERS

A) Updates on County projects.

County Manager Christi Dockery discussed ongoing projects in the County, including: (1) Georgia Department of Transportation's bridge replacement project on Smithville Road will be from October 2024 to around March 2025; there will be a marked detour; (2) Georgia Department of Transportation is continuing to work on the Westover Extension project with plans to be completed by December 2024; (3) park projects are nearing completion and are only still awaiting picnic tables and sunshades; all three parks are open to the public and are being enjoyed; and (4) the new GIS director, Kacee Smith, is doing a great job and is currently working on several projects.

B) Consideration to adopt a resolution authorizing the Southwest Georgia Regional Commission to apply for rural transit 5311 funds through the Georgia Department of Transportation.

Commissioner Roland made the **MOTION** to adopt a resolution authorizing the Southwest Georgia Regional Commission to apply for rural transit 5311 funds through the Georgia Department of Transportation. Commissioner Guarnieri seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Mathis and Commissioner Walls voting yea.

C) Consideration to adopt the updated speed limit ordinance, Chapter 66. Traffic and Vehicles, Article III. Speed Zones, drafted for the purpose of approving the use of speed detection devices on said roadways, as reviewed by the Georgia Department of Transportation.

Chairman Singletary stated this was sent to the Georgia Department of Transportation in April 2022 and staff has just received it back with the requested changes. It looks to be a very extensive list of roads but is needed for the Sheriff's Office radar permit.

Commissioner Mathis made the **MOTION** to adopt the updated speed limit ordinance, Chapter 66. Traffic and Vehicles, Article III. Speed Zones, drafted for the purpose of approving the use of speed detection devices on said roadways, as reviewed by the Georgia Department of Transportation. Commissioner Roland seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Walls voting yea.

D) Consideration to approve lighting agreements with Georgia Power for Main Street.

County Manager Christi Dockery stated that representatives from Georgia Power were present as Georgia Power provided various options for the Board to consider. Commissioner Mathis asked what staff recommended. Ms. Dockery stated that if the Board would like to be in unison with the City of Leesburg, they are doing the Hartsfield Globe lighting, which is the option consisting of a \$20,000 prepayment and \$154 monthly charge.

Commissioner Mathis made the **MOTION** to table the lighting agreements with Georgia Power for

Main Street. Commissioner Roland seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Walls voting yea.

11. **COMMISSIONER'S MATTERS**

- A) Consideration to approve the First Amendment to the Intergovernmental Contract for the Joint Provision of Services with the City of Albany.

County Attorney Jimmy Skipper summarized the terms for this contract. He stated that there were problems with payment; however, the City of Albany has now paid and is up to date. The City has requested to continue permitting. Mr. Skipper noted that between now and the end of the year, they will be working to find a permanent solution to this amendment. The current proposed amendment is to extend the existing agreement to December 31, 2024. Mr. Skipper noted that if this contract expires, the \$0.94 per linear foot will still be collected. This would allow them to put in applications for the next three months to fiber optic or natural gas. Mr. Skipper stated that the contract states the County and City are to work in good faith to work out a long-term solution. There is also a provision provided to limit the number of applications per week to give Building Inspection more time to review and process.

Commissioner Mathis made the **MOTION** to approve the First Amendment to the Intergovernmental Contract for the Joint Provision of Services with the City of Albany. Commissioner Guarnieri seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Roland and Commissioner Walls voting yea.

- B) Discussion of the 2025 LMIG application and potential projects.

County Manager Christi Dockery stated that each commissioner would receive around \$1.1 million for road projects and some have submitted roads for consideration. She stated that they can create a list based on what has been submitted and the Commission can decide if they would like to reduce or add anything, but she just wanted to be clear on the submissions. Chairman Singletary clarified the amount under LMIG and that they need to work on selecting roads for that application submission. Ms. Dockery stated that with SPLOST, TSPLOST, LMIG, and LRA funds, there is approximately \$6 million available for road projects. Chairman Singletary said for the Board to come up with roads they would like to submit. Commissioner Mathis asked for staff to make it equitable for each district.

12. **UNFINISHED BUSINESS**

13. **COUNTY ATTORNEY'S MATTERS**

- A) Consideration to approve an ordinance to amend Chapter 22 of the Code of Ordinances to establish a new Article V to be known as "Short-Term Rental Host License". *FIRST READING*

Chairman Singletary stated that this would include VRBO, AirBNB, and other short-term rental sites. County Manager Christi Dockery stated that the County has collected approximately \$21,000 this year in hotel/motel taxes. Chairman Singletary stated that AirBNB, VRBO and short-term rental sites do pay us, but there is nothing to tie it back to, as we can't control who is using these sites. County Attorney Jimmy Skipper discussed possible concerns with these short-term rentals stating that the plan is to set up a process to do a short-term rental, including the necessity of a permit. If the Board adopts the ordinance then there will be a resolution including the amount of the permit, limits to the number of people, and allowed enforcement. This will become effective on the first day of the month after the resolution is adopted. There are penalties for violations, such as renters can lose their license and possibly being sent to Magistrate Court.

Mr. Davenport said that they are looking for feedback on what the Board liked versus didn't like about what was presented, then staff will work on the ordinance as needed. Mr. Skipper added that one of the provisions that defines occupant load is the limit of two persons per bedroom plus two additional persons.

14. **EXECUTIVE SESSION**

15. **PUBLIC FORUM**

Sam Johnson - Discussed the cost to grade Old Leslie Road and suggested putting that money towards paving.

Chairman Singletary stated that it cost \$1.1 million per mile to pave a dirt road.

Paul Clayton - Discussed the 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 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.

B) The next regularly scheduled Board of Commissioners meeting will be held **Tuesday, September 24, 2024 at 6:00pm**.

17. **ADJOURNMENT**

The meeting was adjourned at 6:53PM.

CHAIRMAN

ATTEST:

COUNTY CLERK