



LEE COUNTY BOARD OF COMMISSIONERS

T. PAGE THARP GOVERNMENTAL BUILDING
102 STARKSVILLE AVENUE NORTH, LEESBURG, GEORGIA 31763

TUESDAY, NOVEMBER 12, 2024 AT 6:00 PM

T. PAGE THARP BUILDING
OPAL CANNON AUDITORIUM

MEETING MINUTES
WORK SESSION

WWW.LEE.GA.US

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 Board of Commissioners met in a work session on Tuesday, November 12, 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 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. Chairman Luke Singletary was absent. The meeting was also streamed on Facebook Live. Vice-Chairman Guarnieri called the meeting to order at 6:00 PM.

1. CALL TO ORDER

2. INVOCATION

- A) Pastor Aaron McCulley, Philema Road Baptist Church, to lead the invocation.

Pastor Aaron McCulley led the invocation.

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

- A) Consideration to approve the minutes for the Board of Commissioners meeting for October 22, 2024.

Commissioner Roland made the **MOTION** to approve the minutes for the Board of Commissioner meeting for October 22, 2024. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Mathis voting yea.

- B) Consideration to approve the minutes from the October 25, 2024 Special Called Joint Meeting with the Lee County Board of Commissioners, Lee County Development Authority, and the Lee County Hospital Authority.

Commissioner Roland made the **MOTION** to approve the minutes from the October 25, 2024 Special Called Joint Meeting with the Lee County Board of Commissioners, Lee County Development Authority, and the Lee County Hospital Authority. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Mathis voting yea.

5. CONSENT AGENDA

6. NEW BUSINESS

A) Chief Appraiser Doug Goodin to present on HB 581. *HANDOUT*

Mr. Goodin stated that Amendment One passed statewide; meaning that the County, Cities, and School Board must either opt in or out by March 1, 2025. If chosen to opt out, each entity must hold three public hearings by March 1, 2025, explaining why they made this decision. If a decision is not made, the entities will automatically be opted in for five years. Amendment One is a one cent sales tax (FLOST) that would be placed on the ballot for voters in November 2025, if all entities choose to opt in. This would not be a tax break, but a tax shift, meaning business will pass the tax onto the consumer.

Mr. Goodin discussed Amendment Two, which is having personal property exemption go from \$7,500.00 to \$20,000.00. Boats and personal watercraft will fall below the taxable value. He explained that Amendment Three, which involves Tax Court, would take appeals out of Superior Court to a Department of Revenue selected panel. This will take a burden off of judges and court clerks.

Mr. Goodin also informed the Board that the Georgia Association of Officials will be holding a one-day seminar for HB581 on December 2nd in Macon, if they would like to attend.

Mr. Goodin summarized House Bill 581, which is a statewide floating homestead exemption for local governments. Lee County currently has 4,929 homesteads. He stated that Senate Bill 193 is for Mobile Home decals. This is something that the Board can choose to either enforce or not issue. If this bill is enforced, staff must issue citations for homes not in compliance. There are no more than 500 mobile homes and no less than 100 in Lee County. Mr. Goodin does not think it is worth it to enforce, but the Board would have to adopt a policy not to issue decals. County Manager Christi Dockery stated that staff can look into other county policies regarding this. Commissioner Guarnieri asked if this had to be decided now, to which Mr. Goodin stated that it doesn't and a decision can be made in January. He mentioned that if homeowners don't pay their taxes, then homes will be sold in a tax sale. Commissioner Roland asked about a plan. Commissioner Guarnieri mentioned doing away with the decals. Mr. Goodin stated that if they choose to enforce, then they would need to adopt a policy, but the court goes through more costs when having to enforce it.

7. PUBLIC HEARING

A) Lanier Engineering, Inc. (Z24-016) has submitted an application requesting a **conditional use** to construct an air cleaning, drying, and storage facility for pecans. The property owner is Farmland Reserve, Inc. The subject property is zoned AG-1 (Active Agriculture District), located at 1415 New York Road, Leesburg, GA 31763, parcel number 066003, in Land Lots 148 & 173 of the Fourteenth Land District of Lee County, Georgia. ***Planning Commission recommended approval, with the following additional condition: The existing trees along the New York Road frontage must be preserved as a buffer with respect to existing residential use across the road.***

Vice-Chairman Chris Guarnieri opened the Public Hearing at 6:13pm.

Assistant Planning Director Amanda Nava summarized this application. She stated that this is for a storage facility for pecans and that the property is zoned AG. This building would be approximately 39,600 square feet with an attached storage silo structure. Ms. Nava said that this would be located to the rear of the existing 5,427 square foot office building on the property. This meets the minimum requirements for a conditional use approval. The existing parcel is smaller than the required lot size, but the proposed facility meets all the required setbacks.

Commissioner Walls asked why the applicant needed conditional use. Ms. Nava stated that it was to cover all the bases and the applicant wants to do more than is required. Commissioner Mathis asked if these are not permitted uses. Mr. Bobby Donley, Lanier Engineering, stated that they are allowed under the conditional use section in the AG ordinance, the applicant just wants to have everything covered. Commissioner Mathis asked about the storage silo. Mr. Donley stated that with the ordinance, the storage silo fell under conditional use.

With no further comments, or questions from the public, staff, or Board members, Vice-Chairman Guarnieri closed the Public Hearing at 6:19pm.

Commissioner Walls made the **MOTION** to approve a conditional use application for Lanier Engineering, Inc (Z24-016). Commissioner Roland seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Mathis voting yea.

- B) **7B Oakland, LLC. (Z24-017)** has submitted an application requesting a **variance** to allow a reduction of the interior and perimeter setbacks as required in **Section 70-386**, and a reduction in the required width for landscape strips, as required in **Section 70-86(d)(4)**, for commercial development. The side setback and landscape strip width requirement is 10-feet and the applicant is requesting a 5-foot reduction. The subject property is zoned C-2 (General Business District), located at 1365 US Highway 82 West, parcel number 029B317C, in Land Lot 263 of the Second Land District of Lee County, Georgia. **Planning Commission recommended approval, with a 5-1 vote.**

Vice-Chairman Chris Guarnieri opened the Public Hearing at 6:20PM.

Assistant Planning Director Amanda Nava summarized this application. She stated that initially it was five, but that was reduced to three feet. The first variance that was taken off was because the ordinance allows a zero setback with a firewall. The other was a reduction to the road frontage. The proposed plan was 28 feet, but the applicant stated they would configure it to be the required 30 feet.

Ms. Nava said that two of the three variances that are being considered are five foot landscape strips. One is on the side of the quick service restaurant and one is by the proposed drive-up oil change. The other variance is a zero-side yard landscape strip on either side of the proposed property line between the proposed drive-up oil-change and quick service restaurant. She stated that the ordinance requires a 10-foot side yard landscape strip. Ms. Nava added that when evaluating the criteria for hardship, they did not see any in this case. The one that staff does see an impact on is the 5-foot landscape between the quick service restaurant and McGee's Tires.

Mr. Bobby Donley, Lanier Engineering, stated that this request came from the proposed drive-up oil change business approaching Mr. Matt Davis. After looking at the parcel, they discovered they only needed 50 feet of width for their building. Mr. Donley said that they wanted to make sure they kept the required amount of landscape area. They currently have almost twice the amount, it is just not configured down the sides. The building was set back further, so there is more area than required in the front. Mr. Donley stated that they made sure to keep the same required amount, they are just requesting a variance in the reduction of the width on the sides.

Commissioner Mathis mentioned the ordinance regarding being able to build a shopping center but not individual buildings right by each other. Mr. Donley stated that there are no less than three property lines running through the parking lot where Riverfront is currently located. He said that they made sure not to give individual driveways to every user and kept everything interconnected to limit this. Commissioner Walls asked about fire space between each building. Mr. Donley stated that the only building closer than the 10-foot setback is the proposed drive-up oil change. Originally, they began asking for a variance for the side setback, but the ordinance allows zero setback if the

wall is fireproof. Mr. Matt Davis stated that it is the same fire rating wall as found in businesses like Publix, which is a two-hour fire wall. Commissioner Guarnieri mentioned the possibility of changing to ordinance to require fire walls. Mr. Donley stated that the building setback variance is not being requested anymore, since the ordinance allows for it with the firewall. Commissioner Walls asked if there would be a two-foot overhang. Mr. Donley replied that there would be no overhangs on this building.

With no further comments, or questions from the public, staff, or Board members, Vice-Chairman Guarnieri closed the Public Hearing at 6:29PM.

Commissioner Mathis made the **MOTION** to approve a variance application from 7B Oakland, LLC (Z24-017). Commissioner Roland seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Walls voting yea.

- C) **(T24-012): A request to amend the C-2 General Business District ordinance Chapter 70, Article XII, Section 70-383 and Chapter 70, Article I, Section 70-6 of the Lee County Code of Ordinances with respect to adding “Hotel” as a permitted conditional use and adding a “Hotel” definition. Planning Commission recommended approval.**

Vice-Chairman Chris Guarnieri opened the Public Hearing at 6:30pm.

Assistant Planning Director Amanda Nava summarized this amendment. There has been an interest in the County for hotel developments, but there is currently no zoning district that permits this type of development. After review, C-2 business district was the most compatible for this. Ms. Nava stated that staff felt it would be best to add this text amendment, which would add hotels as a conditional use and a definition to the ordinance. County Attorney Jimmy Skipper stated that this is not the same definition as approved by the Planning Commission since the original definition covered short-term rentals, which has since been excluded.

With no further comments, or questions from the public, staff, or Board members, Vice-Chairman Guarnieri closed the Public Hearing at 6:32pm.

Commissioner Mathis made the **MOTION** to waive the second reading of the C-2 General Business District ordinance Chapter 70, Article XII, Section 70-383 and Chapter 70, Article I, Section 70-6 of the Lee County Code of Ordinance. Commissioner Roland seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Walls voting yea.

Commissioner Mathis made the **MOTION** to amend the C-2 General Business District ordinance Chapter 70, Article XII, Section 70-383 and Chapter 70, Article I, Section 70-6 of the Lee County Code of Ordinance. Commissioner Roland seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Walls voting yea.

Commissioner Mathis commented that he received calls about hotels in Lee County and the need for an aerial fire truck. He asked staff to get information regarding this.

8. **DEPARTMENTAL MATTERS**

- A) **Building Inspection/ Business Licensing - Consideration to approve an alcohol license for Mr. Max Pouliot, the new manager of Riverfront BBQ and Catfish House, located at 1533 A&B US 19 South.**

Commissioner Roland made the **MOTION** to approve an alcohol license for Mr. Max Pouliot, the

new manager of Riverfront BBQ and Catfish House. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Mathis voting yea.

B) **E-911 - Consideration to approve a quote from Motorola to relocate equipment for the E-911 Center renovation project.**

County Manager Christi Dockery summarized that this is allowing staff to move to the dispatch center equipment to the EOC office during renovations. This will allow them to do the expansion of the wiring in the building. This would cost \$15,529.00 and there are funds in Facilities available. Motorola is the only one who can complete this project.

Commissioner Roland made the **MOTION** to approve a quote from Motorola to relocate equipment for the E-911 Center renovation project for \$15,529.00 from Facilities funds. Commissioner Mathis seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Walls voting yea.

C) **E-911 - Discussion of the bid for the E-911 Phone System. HANDOUT**

County Manager Christi Dockery stated that the four bids received are good for sixty days. Commissioner Mathis asked if they could provide them with tickets submitted to Motorola. E-911 Director Nikkie Celinski stated that they continue to put tickets in but they then still continue to have problems. She said they are doing away with Emergency Callworks, as it has reached its life expectancy. Indigital offers Motorola products, but it is priced based on population.

Commissioner Mathis asked how close the Indigital technicians are located versus those with Motorola. Ms. Celinski stated that Motorola has a technician in town while Indigital has an hour and a half response time. Ms. Celinski also discussed WestTel, which is used by both Ben Hill County and Worth County and have no complaints about it. Ms. Celinski emphasized that the County can still have the radio system with Motorola while having a phone system with another company. Indigital has a cheaper start-up price but the WestTel maintenance price is lower.

D) **Planning, Zoning & Engineering - Consideration to approve an amendment to Chapter 38, Article I, Section 38-3 so as to provide "GIS Deliverable" and "As-Built" (record) drawings definitions, to Chapter 34, Article III, Division 1, Section 34-83 to provide "As-Built" (record) drawings definition, and to Chapter 38, Article III, Division 2, Section 38-125(c) of the Lee County Code of Ordinances with respect to amending closing out permits as related to the requirements for as-built (record) drawings. Planning Commission recommended approval.**

County Manager Christi Dockery said that this is already in the ordinance, but it gives you the option of providing another format. GIS Manager Kacee Smith stated that DWG means a digital drawing that comes in two-dimensional formats that can be incorporated into GIS software. This would be providing data legitimacy and accuracy. She said this would be able to provide survey level information to the County. Ms. Dockery said that several companies already do this and Lanier is already providing us with this. Ms. Smith said that this is simply just sending her the digital form that she can incorporate into her software. This amendment is just explaining why GIS needs the digital format.

Commissioner Mathis made the **MOTION** to waive the second reading of the amendment to Chapter 38, Article I, Section 38-3. Commissioner Roland seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Walls voting yea.

Commissioner Mathis made the **MOTION** to approve the amendment to Chapter 38, Article I, Section 38-3. Commissioner Roland seconded the **MOTION**. The **MOTION** was unanimous with

Commissioner Walls voting yea.

- E) **Planning, Zoning & Engineering** - Consideration to approve an amendment to **Chapter 58, Article I, Section 58-8** of the **Lee County Code of Ordinances** so as to provide a definition of "As-Built (Record) Drawings", a definition of "Plat", and a definition of "GIS Deliverable". **Planning Commission recommended approval.**

Commissioner Mathis made the **MOTION** to waive the second reading of the amendment to Chapter 58, Article I, Section 58-8. Commissioner Roland seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Walls voting yea.

Commissioner Mathis made the **MOTION** to approve the amendment to Chapter 58, Article I, Section 58-8. Commissioner Roland seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Walls voting yea.

- F) **Planning, Zoning & Engineering** - Review of the October 3, 2024 Planning Commission meeting minutes.

The minutes were reviewed as presented.

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

10. **COUNTY MANAGER'S MATTERS**

- A) **Updates on County projects.**

County Manager Christi Dockery discussed the following updates to County Projects: (1) Sumter EMC has moved the pole and will begin work on the tower, (2) staff is continuing to work on the new ADA compliant website and employees have been moved to Microsoft 365 emails; (3) crews are working to have a floating bridge installed in Pirates Cove; and (4) Jericho Design is working on the design for the Courthouse addition.

Commissioner Mathis asked for an update on the R-2 ordinance. Ms. Dockery stated that she is working with Assistant Planning Director Amanda Nava and Georgia Tech. They will be having a meeting with Georgia Tech and County Planning consultants, and a timeline will be provided to the Board once one is made.

- B) **Consideration to approve the Meeting Calendar for the Board of Commissioners for 2025.**

Commissioner Roland made the **MOTION** to approve the Meeting Calendar for the Board of Commissioners for 2025. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Mathis voting yea.

- C) **Consideration to approve the Holiday Calendar for Board of Commissioners offices for 2025.**

Commissioner Roland made the **MOTION** to approve the Holiday Calendar for the Board of Commissioners offices for 2025. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Mathis voting yea.

- D) **Consideration to approve an agreement with the Lee County Chamber of Commerce regarding the provision of tourism services.**

County Attorney Jimmy Skipper stated that the County has had a motel/hotel tax on lodging within

the County. This is a certain tax set by state law and one of the things that this tax is for is to support tourism in the area. Any money received from hotel and motel tax, 28.5% will be paid over to the Chamber of Commerce to enhance tourism in the County. That percentage is based on the amount in the state statute.

Commissioner Mathis made the **MOTION** to approve an agreement with the Lee County Chamber of Commerce regarding the provision of tourism services. Commissioner Roland seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Walls voting yea.

- E) Consideration to adopt a resolution approving the Final Capital Improvements Element (CIE) Annual Update. Public Hearing held October 22, 2024

Commissioner Mathis made the **MOTION** to adopt a resolution approving the Final Capital Improvements Element (CIE) Annual Update. Commissioner Roland seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Walls voting yea.

- F) Consideration to approve a change order to the current contract with Affordable Painting to add painting services at the Lee County DFCS office.

County Manager Christi Dockery stated that the rent was increased for DFCS to reflect replacing the carpet and painting. This company is currently painting the T. Page Tharp Building.

Commissioner Roland made the **MOTION** to approve a change order to the current contract with Affordable Painting to add painting services at the Lee County DFCS office for \$15,500.00. Commissioner Mathis seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Walls voting yea.

11. COMMISSIONER'S MATTERS

- A) Discussion of Lumpkin Road stormwater issues.

Mike Talley, Flint River Consultant, addressed the Board. Mr. Talley stated that the updated memo shows the pros and cons with each issue. He said that he went to the Tax Assessor's Office and thought that was the assessed value for 321 Lumpkin Road, it was actually the appraised value. The value of \$500,000.00 listed in option was incorrect, and should read \$225,000.00. There are currently four options: do nothing, buy the property, install a pump, or dig a large ditch. He stated there are pros and cons for all of these options. He has not seen that the flooding is caused by Lee County; the property does receive run off from the farm behind the property. Mr. Talley stated that it is possible that if water got high enough in the Lee County right-of-way and was unable to go under the culvert at Mr. Purvis house, then it is possible to get into Mr. Christmas house and this may have happened in the past. Mr. Talley stated that he is unsure if the flooding is water going to the ditch or from it.

Mr. Talley's recommendation to the Board is to do nothing or install a pump. He said that a pump is done in many areas in the County to help get the stormwater out of the area quicker. There are pros and cons to each option. There are many citizens who experience flooding in the County and any decision made regarding one, there may be another who may like to have the same agreement with their flooding problems. Mr. Talley stated that some of the flooding areas can be fixed while others can't. He stated that if the Board would like to pursue any of the options, then he will gather information to present to them.

Commissioner Roland asked the Board if they would like to buy the property or proceed with a

pump, as he feels those are the only two options. Commissioner Mathis asked if he is wanting a portable or permanent pump. Commissioner Roland stated they could do a permanent pump. Mr. Talley stated that it would work to pump the low area down, but it would not stop the flooding. The best recommendation would be laying the pipe in the area and having Public Works use a portable pump.

Commissioner Roland made the **MOTION** to get a quote for the pipe on Lumpkin Road. Commissioner Mathis seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Walls voting yea.

B) Discussion for laying rock on Sapp Road and Shrine Club Circle.

Vice-Chairman Guarneri stated that it had been discussed laying base rock on these roads. This could help emergency service vehicles and school buses traveling on these roads. Public Works Director Mike Sistrunk stated that these roads are out of the way from where Public Works usually does their routes for motorgrading. Laying this base rock makes the road easier to pave later on and will make it to where the roads only need to be bladed every three to four months. There are currently four homes on Sapp Road and Shrine Club Circle is primarily used as a turnaround or to access the Shrine Club at the end of the road. It would benefit Public Works by helping them not have to blade these roads as much. Commissioner Walls asked if Sapp Road has a right-of-way. Mr. Sistrunk stated that it has a 20 foot right-of way. Mr. Sistrunk said that they would do ditch work, then place four to five inches of base rock. Commissioner Walls asked if there were houses on Shrine Club Circle. Mr. Sistrunk stated that there are no established driveways, but people use them to access the backs of their houses.

Commissioner Roland asked what it would cost to lay base rock on Lumpkin Road. Mr. Sistrunk said the road is a lot wider, and it is more traveled. He stated that it is great to use as a base material as a precursor to pave a road, but he would not recommend just placing it on a more traveled road.

Commissioner Roland made the **MOTION** to approve placing base rock on Sapp Road and Shrine Club. Commissioner Mathis seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Walls voting yea.

12. **UNFINISHED BUSINESS**

13. **COUNTY ATTORNEY'S MATTERS**

14. **EXECUTIVE SESSION**

15. **PUBLIC FORUM**

William Hancock- Discussed the Lee County Medical Center. In favor of it, but asked the Commission to keep the taxpayers in mind.

Sam Johnson- Discussed paving or placing asphalt rock on Old Leslie Road.

Lee Purvis- Discussed the flooding on Lumpkin Road.

16. **ANNOUNCEMENTS**

A) Offices of the Lee County Board of Commissioners will be **closed Thursday, November 28, 2024** and **Friday, November 29, 2024** in observance of the Thanksgiving holiday. Residential garbage

collection services will not run on Thursday, November 28, 2024, but will be delayed by one day for the remainder of the week. Thursday routes will be picked up on Friday and Friday routes will be picked up on Saturday.

- B) The 36th Annual “**Spirit of Christmas Parade & Festival**” will be held on **Saturday, December 7, 2024**. Parade kickoff will be at **10:00am** on Main Street and will be immediately followed by a festival on Starksville Avenue North that includes vendors, entertainment, great food, children's play areas, and lots more. Admission is free and if you would like to be a sponsor, vendor, or participate in the parade, please contact the Chamber of Commerce at (229) 759-2422.
- C) The next regularly scheduled County Commission Meeting is **Tuesday, December 10, 2024 at 6:00pm**.
- D) The renewal process for 2024 Occupation Tax/Business Licenses began November 1, 2024. Please go to Lee County’s website at www.lee.ga.us for information or contact the Building Inspection office at (229) 759-3326 and a packet with an application and all information will be mailed to you. **All current business licenses will expire on December 31, 2024.**

17. **ADJOURNMENT**

The meeting adjourned at 7:15PM.

CHAIRMAN

ATTEST:

COUNTY CLERK