



BOARD OF COUNTY COMMISSIONERS

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

TUESDAY, SEPTEMBER 13, 2022 6:00 P.M.

T. PAGE THARP BUILDING
OPAL CANNON AUDITORIUM
WWW.LEE.GA.US

MEETING MINUTES
WORK SESSION

COUNTY COMMISSIONERS

Billy Mathis, Chairman	District 3
John Wheaton, Vice-Chairman	District 1
Luke Singletary, Commissioner	District 2
George Walls, Commissioner	District 5
	District 4

COUNTY STAFF

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

The Lee County Board of Commissioners met in a work session on Tuesday, September 13, 2022. 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 Billy Mathis, Vice-Chairman John Wheaton, and Commissioner George Walls. Staff in attendance was County Manager Christi Dockery, County Attorney Jimmy Skipper, and County Clerk Kaitlyn Sawyer. Finance Director Heather Jones and Public Works Director Danny Keener were also present. Commissioner Luke Singletary was absent. The meeting was also streamed on Facebook Live. Chairman Mathis called the meeting to order at 6:00pm.

INVOCATION

Matthew Lampley, Executive Pastor of First Baptist Church Albany, led the invocation.

PLEDGE OF ALLEGIANCE

The Board and the audience said the Pledge of Allegiance in unison.

CALL TO ORDER

APPROVAL OF MINUTES

- (A) **Consideration to approve the Board of Commissioners meeting minutes for August 23, 2022.**
Commissioner Wheaton made the **MOTION** to approve the Board of Commissioners meeting minutes for August 23, 2022. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Chairman Mathis voting yea.

CONSENT AGENDA

NONE

NEW BUSINESS

- (A) **Stormwater Engineer Mike Talley, Flint River Consulting, to present the mid-year review.**
Mr. Talley began the stormwater mid-year review by stating that Lee County has a stormwater system within the urbanized portions of the County, which is generally Century Road South, which falls under a state permit called a MS4 permit. This permit is renewed every five years and at the end of that five years, we must update the plan we use to comply with that permit. The current permit expires at the end of this year and staff believes EPD should issue the new permit in mid-December. Mr. Talley stated that staff would be soliciting a proposal from GMC, an ecological planning solutions office, to complete the plan update itself. They are experts in this area and Mr. Talley and Lee County have worked with them for many years. This process is expected in October or November.

Mr. Talley stated that we do not want to overly burden the citizens of Lee County with regulations, but at the same time we need to comply with the state's mandates to the County, which we are and will continue to do so. Mr. Talley noted that the costs for these plans are listed in the summary provided to the Board in the agenda packet, for the Board to review. Once the permit is issued, the County have six months to update it. The goal would be to start in January and have it to EPD in mid-February so that we may operate next year under the new permit. Mr. Talley added that even if the plan is not yet approved, we must operate as if it is.

Mr. Talley continued by stating that new this year is that the State of Georgia has a list called the 303D list, which is a section in the state regulation for impaired waters, with the purpose of seeing if creeks and rivers throughout the state are meeting their primary designated use. If they are not meeting their designated use due to a pollutant found, that waterway is listed on the 303D list and if there is an impaired water source running through your community that is covered by the permit, an impaired waters plan must be developed. Mr. Talley stated that unfortunately, currently both the Kinchafoonee and Muckalee Creeks are on this list. They are on the list because of animal waste and mercury in the fish tissue, the origin of which is unknown, as there are no heavy industries along the creeks.

Additionally, because Lee County has over 10,000 residents, a monitoring plan would also be required (involves physically taking samples throughout the year, forever). The cost to create an impaired waters plan would be approximately \$3,000.00 - \$5,000.00. The cost of sampling and sending those samples to the state, as required by the monitoring plan, is unknown at this time, but will be provided as soon as is made available. Once the permit is issued, samples will not need to be collected until the third or fourth quarter of next year, allowing for time to add whatever costs into the budget.

PUBLIC HEARING

(A) **A Public Hearing will be held to set the millage rate.**

Chairman Mathis opened the Public Hearing.

Chairman Mathis stated that the net mills for county government operations for this year is 12.406, a decrease from last year.

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

Consideration to adopt a resolution to set the 2022 millage rate.

Commissioner Wheaton made the **MOTION** to adopt a resolution to set the 2022 millage rate as outlined in the 2022 tax levy. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Chairman Mathis voting yea.

DEPARTMENTAL MATTERS

Building Inspection/Business Licensing

(A) **Consideration to approve an alcohol license application for Kenny Yelton, Family Dollar, for the off-premises retail sale of malt beverages & wine.**

Chairman Mathis if the Board had determined that situations such as this could be administrative decisions and not ones that had to come before the Board. County Manager Christi Dockery stated that she would check on that. County Attorney Jimmy Skipper added that he doesn't recall changing that protocol, but stated that it could be done. Chairman Mathis asked that we look into updating that respective code.

Commissioner Wheaton made the **MOTION** to approve an alcohol license application for Kenny Yelton, Family Dollar, for the off-premises retail sale of malt beverages & wine. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Chairman Mathis voting yea.

E-911

(B) **Consideration to approve the construction of the new telecommunications tower.**

Chairman Mathis stated that there had been discussions in the past about the need for a tower and improved

coverage in the northern part of the County for Public Safety radio communications. Staff has looked into a few prospective properties/ existing towers, with one tower not being structurally adequate for our equipment and one landowners wanting too much of a lease payment every month to be on their tower, and we would be better off building our own tower.

Commissioner Walls stated that the other night, 911 went down for approximately 1.5 hours. E-911 Director Nikkie Celinski summarized that that issue was not due to a failure of the equipment on our end, stating that as part of Albany's P25 System, if there is a power outage or interruption of any kind at the core, it affects all the surrounding entities that are on the system, including Mitchell County, Thomasville, and Decatur-Grady. In that scenario, the E-911 Center is run using what is called site-trunking. Commissioner Walls asked, with it being due to a power outage, if the generator came on, to which Ms. Celinski replied that it would not have mattered if our generator came on because the issue was in Albany, not here. Citizens in Lee County did not lose the ability to contact 911. Chairman Mathis asked Ms. Celinski to look into what it may take for Lee County to be self-contained in this regard. Ms. Celinski will put together a plan.

Commissioner Wheaton made the **MOTION** to authorize staff to put out a bid for the purchase and construction of a new telecommunications tower. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Chairman Mathis voting yea.

CONSTITUTIONAL OFFICERS & GOVERNMENTAL BOARDS/AUTHORITIES

NONE

COUNTY MANAGER'S MATTERS

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

County Manager Christi Dockery and Chairman Mathis discussed ongoing projects in the County: (1) Popco should complete the water extension project on Hwy 82 in the next two weeks, weather permitting; (2) the RFP for the CDBG project for Palmyra Mobile Home Park is out, to be awarded in the next 30 days, and staff is working on the necessary easements; and (3) there is an upcoming grant opportunity that staff will look into for water/sewer infrastructure improvements; at a future meeting, staff may request matching funds from the Board.

(B) **Consideration to approve an updated Schedule of Fees and Charges.**

County Manager Christi Dockery stated that this was simply a way to have all fees in one place within the County's Code of Ordinances, which will make it easier to update any in the future; there are no changes to the fees, they are in this document as they are found currently in the code. This item was tabled until the next meeting.

(C) **Consideration to declare vehicles and equipment surplus.**

Commissioner Walls made the **MOTION** to declare the following vehicles and equipment surplus: A 2011 Ford F-150 XL 4X4; VIN: 0045, a 2003 Ford F-150 XLT 4x4 Off Road; VIN: 7276, a 2007 Ford Crown Victoria; VIN: 3087, a 8 Foot Dog Box by Wolverine Coach, a 2015 Bad Boy 852 Outlaw Zero Turn Mower 61" Deck; SN: 1008, a Woods Turf Batwing Mower 12' Cut-PTO Driven; SN: 26131; Model: 9180-RD/, four (4) office chairs, 16 Computer Monitors (Viewsonic, Dell, and TG brands), and one (1) HP printer. Commissioner Wheaton seconded the **MOTION**. The **MOTION** was unanimous with Chairman Mathis voting yea.

(D) **Consideration to approve the application for FY 2023 LMIG funds.**

County Manager Christi Dockery stated that Commissioner Walls had asked that the portion of Graves Springs Road be added to the list. Chairman Mathis stated the Board would look over the provided information. The grant application is due February 1, 2023. This item was tabled until the next meeting.

COMMISSIONER'S MATTERS

NONE

UNFINISHED BUSINESS

NONE

COUNTY ATTORNEY'S MATTERS

- (A) **Consideration to approve the Assignment of Bonds, Lease and Other Bond Documents by and between SR DeSoto LLC, SR DeSoto I, LLC, the Lee County Development Authority, the Lee County Board of Commissioners, the Lee County Board of Tax Assessors, and the Lee County Tax Commissioner.**

County Attorney Jimmy Skipper summarized the document and the need for such in connection to the Silicon Ranch solar project. When the land was purchased for the solar project, SR DeSoto LLC believed they would have one customer, however, this one entity decided they were not going to be able to take all the electricity that was to be generated. Two more customers (EMCs) have now become attached to the project to take the rest of the power generated by the solar facility. The three entities now involved are referred to as SR Desoto I, SR DeSoto II, and SR DeSoto III.

Mr. Skipper stated that at the end of 2020 all parties, including SR DeSoto LLC and the County, amended the original MOU to assign the bonds. What this document does is simply allow all bond documents from 2020 under SR DeSoto LLC to be reassigned to SR DeSoto I, LLC. The Development Authority will consider this item as well at their next scheduled meeting on September 15.

Commissioner Wheaton made the **MOTION** to approve the Assignment of Bonds, Lease and Other Bond Documents by and between SR Desoto LLC, SR DeSoto I, LLC, the Lee County Development Authority, the Lee County Board of Commissioners, the Lee County Board of Tax Assessors, and the Lee County Tax Commissioner. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Chairman Mathis voting yea.

- (B) **Consideration to approve Amendment No. 1 to the Amended and Restated Memorandum of Understanding between SR Desoto LLC, SR DeSoto I, LLC, the Lee County Development Authority, the Lee County Board of Commissioners, the Lee County Board of Tax Assessors, and the Lee County Tax Commissioner.**

County Attorney Jimmy Skipper summarized the document and the need for such, stating that in connection to the Silicon Ranch solar project, this document amends the existing MOU to acknowledge an increase in scholarship funds provided to Lee County students from SR DeSoto LLC from the original \$10,000.00 to now \$20,000.00 per year over the life of this solar project, which should be 25 years.

Commissioner Wheaton made the **MOTION** to approve Amendment No. 1 to the Amended and Restated Memorandum of Understanding between SR Desoto LLC, SR DeSoto I, LLC, the Lee County Development Authority, the Lee County Board of Commissioners, the Lee County Board of Tax Assessors, and the Lee County Tax Commissioner. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Chairman Mathis voting yea.

- (C) **Consideration to approve an Intergovernmental Contract with the Lee County Development Authority with respect to the development and construction of a hospital.**

Chairman Mathis stated that this was an agreement with the Development Authority to provide some funding for the hospital project. The Development Authority will consider this item as well at their next scheduled meeting on September 15.

Commissioner Wheaton made the **MOTION** to approve an Intergovernmental Contract with the Lee County Development Authority with respect to the development and construction of a hospital. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Chairman Mathis voting yea.

EXECUTIVE SESSION

NONE

PUBLIC FORUM

Citizens will be allowed to address the Board of Commissioners regarding any issues or complaints. Individuals should sign up prior to the start of the meeting.

Paul Clayton spoke regarding the state of Old Leslie Road.

ANNOUNCEMENTS

(A) The next regularly scheduled County Commission Meeting is **Tuesday, September 27, 2022 at 6:00pm.**

ADJOURNMENT

The meeting adjourned at 6:24PM.

Facebook video link: <https://www.facebook.com/leecountyga/videos/1384701238726361>

CHAIRMAN

ATTEST: _____
COUNTY CLERK

Lee County is a thriving vibrant community celebrated for its value of tradition encompassing a safe family oriented community, schools of excellence, and life long opportunities for prosperity and happiness without sacrificing the rural agricultural tapestry.

Persons with special needs relating to handicapped accessibility or foreign language interpretation should contact the ADA Coordinator at (229) 759-6000 or through the Georgia Relay Service (800) 255-0056 (TDD) or (800) 355-0135 (voice). This person can be contacted at the T. Page Tharp Building in Leesburg, Georgia between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except holidays, and will assist citizens with special needs given proper notice of seven (7) working days.

The meeting rooms and buildings are handicap accessible.