



BOARD OF COUNTY COMMISSIONERS

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

TUESDAY, DECEMBER 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
Chris Guarnieri, Commissioner	District 4
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, December 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, Commissioner Luke Singletary, Commissioner Chris Guarnieri, and Commissioner George Walls. Staff in attendance was County Manager Christi Dockery, County Attorney Jimmy Skipper, and County Clerk Kaitlyn Good. The meeting was also streamed on Facebook Live. Chairman Mathis called the meeting to order at 6:00pm.

INVOCATION

Dr. Josh Posey, Senior Pastor of First Baptist Church of Leesburg, led the invocation.

PLEDGE OF ALLEGIANCE

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

CALL TO ORDER

Special Presentation

Chairman Mathis acknowledged that this was the first Board meeting for newly elected Commissioner Chris Guarnieri, who fulfilled Commissioner Rick Muggridge's unexpired term. The Board and audience welcomed Commissioner Guarnieri.

Chairman Mathis acknowledged that this would be Commissioner John Wheaton's last meeting as a Commissioner for Lee County. Commissioner Wheaton was presented with a framed historical map of Lee County as well as a Proclamation, signed by Chairman Mathis, Commissioner Singletary, Commissioner Guarnieri, and Commissioner Walls. Chairman Mathis read the proclamation and thanked Commissioner Wheaton for his service to the County. Commissioner Wheaton thanked the citizens and the Board.

APPROVAL OF MINUTES

- (A) Consideration to approve the Board of Commissioners meeting minutes for November 8, 2022.
Commissioner Wheaton made the **MOTION** to approve the Board of Commissioners meeting minutes for November 8, 2022. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Singletary and Commissioner Guarnieri voting yea.

CONSENT AGENDA

NONE

NEW BUSINESS

(A) **Recognition of employees' years of service.**

The following employees were recognized for their service to the County:

- 5 years – Dennis Lee – Chief Tax Assessor
- 5 years – Frederick Norton – Equipment Operator 3
- 10 years – Jason Lovette – 1st Lieutenant, Sheriff's Office
- 10 years – Melanie Gahring Rathel – Judge, Probate Court
- 15 years – Stuart Burke – Firefighter/Paramedic
- 20 years – Mark Thomas – Water/Wastewater Operator

(B) **Jackie Entz Shores, Artesian Alliance Director of Education, to present information on the DEA Traveling Exhibit. HANDOUT**

Jackie Entz Shores, Artesian Alliance Director of Education, presented information on the DEA Traveling Exhibit, "Drugs: Cost & Consequences" by way of PowerPoint and handouts. Ms. Shores stated that from February 9 – September 6, 2023, the exhibit would be on display at the Science Museum of Thronateeska. The exhibit has free admission and school groups are encouraged to attend (recommended for 4th grade and up), as guided tours (45 – 60 minutes) will be available that highlight the dangers of drugs through very realistic dioramas, true artifacts, science content, and 32 interactive videos and stations, including a local story.

There are also bilingual components, firsthand accounts from experts, vigils, special lectures, and resources available. Ms. Shores added that although the exhibit has been on national tour since 2002, this is the first time this exhibit will be in the State of Georgia and will not be back in the Southeastern US for 5 to 7 years. A large volunteer pool is needed to guide presentations and Ms. Shores aims to fundraise so as to reimburse any bus fare and accompanied expenses for students to come view the exhibit. The Board encouraged Ms. Shores to reach out and present to the Board of Education as well.

(C) **Justin Elliott of Mauldin and Jenkins to present the FY2021-2022 audit. HANDOUT**

Justin Elliott of Mauldin and Jenkins presented on the FY2021-2022 audit, stating that while the full audit was not completed, nothing should change. In summary and in sticking with the highlights, there is a \$3.8 million increase in fund balance, which is a great place to be. There was approximately \$30 million in revenues and \$28 million in expenses, with 50% of that being for Public Safety, which is standard. Mr. Elliott stated there was \$19.8 million in the fund balance, which is commendable. As it stands, the County would be able to cover approximately 8.5 months of expenses should it have to. There will be a more comprehensive report soon, but there is no anticipated major changes and a clean, unmodified opinion is expected.

PUBLIC HEARING

- (A) **SR DeSoto 2 & 3, LLC (Z22-004): Connor Echols has submitted an application to the Lee County Planning Commission requesting a Conditional Use for a large scale (1,566 total acres) ground mounted solar energy system as a principal use in the AG-1 (Active Agriculture District). Project is known as SR DeSoto 2 & 3, LLC. There are multiple property owners as follows: Silicon Ranch Corporation, Wherrell 41, LLC, Roger Howell, John & Eddie Berryhill for a total of (944 acres) fenced/developed area, collectively, ("Landowners") of land being part of Land Lots 188, 189, 195, 196, 197, 221, 222, 227, & 228 of the Fourteenth Land District, of Lee County, Georgia. The property involved is presently zoned AG-1. Planning Commission members and Planning Department staff and consultants recommend approval, with the following conditions, to be fulfilled at the owner/developer's expense: (1) The applicant shall ensure that design and construction of structures shall meet or exceed the standards indicated on the concept plan, narrative, and other documents submitted with the conditional use application and attached hereto. This condition shall not construe approval of any standard that is not in conformity with the Lee County Code of Ordinances; (2) The applicant shall ensure that design and engineering for land development meets storm water management requirements to minimize stormwater runoff and ensure the quality of water exiting the site; (3) The applicant shall ensure that low impact construction techniques are utilized to avoid soil compaction during and after construction; (4) The applicant shall ensure that monthly water quality testing is conducted per GA EPD standards and send the monthly reports to the County. Any sampling and reporting conducted by GA EPD should also be shared with the County; (5) The**

applicant should ensure that a wildlife management assessment is conducted to provide a recommendation on mitigation and share all updates on wildlife management with the County on a monthly basis; and (6) The applicant shall complete the abovementioned and have the Phase II project approved per the existing Memorandum of Understanding before Phase III commences.

Chairman Mathis opened the Public Hearing.

Opposition

David Dixon: Provided handout; Spoke on concerns on stormwater runoff and sediment, citing failing points on EPD reports and standards; asks that Phase I be completed successfully before commencing Phases II and III

Neil Fleckenstein: Spoke on heightened concerns of stormwater runoff and the need for a stormwater plan, soil compaction, and more information regarding the vegetative buffer, and the need for third party analyses

Chad Gunter: Spoke on flooding concerns, stormwater runoff, and concerns on wildlife populations/displacement, providing drone footage of the property

Jenny Crisp: Spoke on concerns of flooding and wildlife populations/displacement; asks for approval for Phase I before commencing Phases II and III

Felix Marbury: Supports having an outside agent conduct sampling

Don Odom: Spoke on concerns about the creek, increased sediment, and deterioration over time; asks that Phase I be completed and approved before commencing Phases II and III

Support

Dennis Roland: Spoke on how the problems mentioned are existing problems, possibly worsened by the project, however cannot be fully blamed on them; once the project is over, the issues will not be as bad

Applicant Connor Echols, Site Engineer Michael Munson, and attorney Tom Harrold addressed the Board, stating that Phase I of this project so far has invested \$130 million in Lee County and the company will always strive to be good neighbors.

In reference to concerns about EPD reports, Mr. Munson stated that samples are taken after rainfall that exceeds half an inch, sent to a firm, and those results are then submitted to EPD. There are 21 sample points for Phase I and 9 have passed. Of the remaining 12, three (3) points are discharging to state waters and the others are internal to the property. The majority of points pertaining to the discharging to state waters have passed. Chairman Mathis asked what the plan was for the points that did not pass, to which Mr. Munson stated that they have installed all BMPs to standard and have added additional seeding, temporary and permanent stabilization, and other standard practices.

Chairman Mathis asked when it was expected to have all points pass. Mr. Munson stated that it is difficult to provide an exact timeframe as rainfall events are unpredictable, but the intent is to have them pass as soon as possible. Right now, they are increasing hydro seeding, which is increasing the vegetation. There is also rye grass and perennial vegetation being utilized to aid in establishing those areas that are more clay-heavy with limited top soil. The goal of when all points will be in compliance is by the end of January. The final inspection with EPD for Phase I is to be scheduled for approximately the end of January.

Commissioner Singletary asked if the company would still monitor erosion and take water samples after the final inspection. Mr. Munson confirmed that they would always monitor the site and address any issues that arose. Commissioner Guarnieri asked how crews were keeping the soil from becoming so compacted when Phases II and III commence. Mr. Munson replied that there is an XTR system in place to limit the amount of earthwork required, which reduces the amount of traffic on the site. This same system was used on Phase I.

Mr. Munson stated that an evaluation of the surrounding creeks would also be beneficial. Mr. Echols added that EPD has issued no formal violations on the site. There are weekly inspections in addition to those completed after each rainfall.

Chairman Mathis stated that the Board wants to protect the citizens and wants to be sure they do everything to ensure that there are no violations and no failures; no runoff. Chairman Mathis asked that the log books containing inspections and site reports be shared with the Board.

With no further questions or comments from the Board or the audience, the Public Hearing was closed.
Time: 7:11PM

DEPARTMENTAL MATTERS

Building Inspection/ Business Licenses

- (A) **Consideration to approve the alcohol license renewals for 2023.**

Commissioner Singletary made the **MOTION** to approve the alcohol license renewals for 2023. Commissioner Wheaton seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Walls voting yea.

Planning, Zoning and Engineering

- (B) **Review of the December 1, 2022 Planning Commission meeting minutes.**

The minutes were reviewed as presented.

- (C) **Review of the 2023 Planning Commission meeting calendar.**

The calendar was reviewed as presented.

CONSTITUTIONAL OFFICERS & GOVERNMENTAL BOARDS/AUTHORITIES

- (A) **Consideration to appoint one member to the Elections & Registration Board for a term of four years. Current term expires 12/31/2022. New term expires 12/31/2026. Letter of interest in reappointment received from George Houston.**

Commissioner Wheaton made the **MOTION** to reappoint George Houston to the Elections & Registration Board for a term of four (4) years to expire 12/31/2026. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Singletary and Commissioner Guarnieri voting yea.

- (B) **Consideration to appoint two members to the Health Board for a term of six years. Current term expires 12/31/2022. New term expires 12/31/2028. Letters of interest received from Tina Marbury and Jamie Swain (reappointment).**

Commissioner Singletary made the **MOTION** to appoint Tina Marbury and reappoint Jamie Swain to the Health Board for a term of six (6) years to expire 12/31/2028. Commissioner Wheaton seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Walls voting yea.

- (C) **Consideration to appoint one member to the Joint Development Authority of Baker, Dougherty, Lee, and Terrell Counties for a term of one year. Current term expires 12/31/2022. New term expires 12/31/2023. Letter of interest received from David Brokamp (reappointment) and John Hudgens.**

Commissioner Wheaton made the **MOTION** to reappoint David Brokamp to the Joint Development Authority of Baker, Dougherty, Lee, and Terrell Counties for a term of one (1) year to expire 12/31/2023. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Singletary and Commissioner Guarnieri voting yea.

- (D) **Consideration to appoint one member to the Planning Commission to fulfill a current vacancy for a term of four years. Vacancy is a result of Chris Guarnieri's resignation. Current term expires 1/31/2023. Letter of interest in appointment received from Kyle Luckie.**

Commissioner Wheaton made the **MOTION** to appoint Kyle Luckie to the Planning Commission to fill an unexpired term expiring 1/31/2023. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Singletary and Commissioner Guarnieri voting yea.

Mr. Luckie will then serve a full four (4) year term beginning on 2/01/2023 and expiring on 1/31/2027.

Utilities Authority

- (E) **Consideration to adopt a Resolution Authorizing the Third Amendment to the Intergovernmental Contract between the Lee County Utilities Authority and the Lee County Board of Commissioners regarding the Issuance of Revenue Bond, Series 2022.**

Commissioner Wheaton made the **MOTION** to adopt a Resolution Authorizing the Third Amendment to the Intergovernmental Contract between the Lee County Utilities Authority and the Lee County Board of Commissioners regarding the Issuance of Revenue Bond, Series 2022. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Singletary and Commissioner Guarnieri voting yea.

COUNTY MANAGER'S MATTERS

- (A) **Updates on County projects.**
County Manager Christi Dockery discussed ongoing projects in the County: (1) GA DNR has signed the agreement for the boat landing at the 100 acres property; (2) the gym renovation project is ongoing (windows have been put in) and is moving along nicely; (3) we have received LMIG funding and the Board is to be voting on that bid tonight; and (4) the TSPLOST II referendum passed with the election results of November 8, 2022, so collection for that will begin in 2024 and go through 2028.
- (B) **Consideration to approve a six-month (01/01/2023 – 06/30/2023) proposed contract and budget for the Office of the Circuit Public Defender David T. Winheim.**
Commissioner Wheaton made the **MOTION** to approve a six-month (01/01/2023 – 06/30/2023) proposed contract and budget for the Office of the Circuit Public Defender David T. Winheim. Commissioner Walla seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Singletary and Commissioner Guarnieri voting yea.
- (C) **Consideration to approve an application for Hazard Mitigation grant funds.**
Commissioner Wheaton made the **MOTION** to approve an application for Hazard Mitigation grant funds. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Singletary and Commissioner Guarnieri voting yea.
- (D) **Consideration to adopt a resolution approving the Final Capital Improvements Element (CIE) Annual Update. Public Hearing held November 8**
Commissioner Wheaton made the **MOTION** to adopt a resolution approving the Final Capital Improvements Element (CIE) Annual Update. Commissioner Singletary seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Walls voting yea.
- (E) **Consideration to award the bid for the 2023 LMIG Road Projects.**
Commissioner Singletary made the **MOTION** to award the bid for the 2023 LMIG Road Projects to Reeves Construction Company for \$1,977,781.35 to come from LMIG and TSPLOST funds. Commissioner Wheaton seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Walls voting yea.

COMMISSIONER'S MATTERS

- (A) **Consideration to adopt a Resolution to Activate a Hospital Authority.**
County Attorney Jimmy Skipper summarized the resolution, stating under Georgia law there is a hospital authority created for every county and what this resolution will do is allow the County to declare that there is a need for the hospital authority and to officially establish a five (5) person authority.
- Commissioner Wheaton made the **MOTION** to adopt a Resolution to Activate a Hospital Authority. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Singletary and Commissioner Guarnieri voting yea.

Additional Item Discussion:

Chairman Mathis stated that he would like to, with the permission of the Board, discuss increasing the starting pay of the deputies at the Lee County Sheriff's Office. Chairman Mathis stated that there are several vacancies with that department and with Sheriff, agrees that this may be the best course of action for recruitment.

Commissioner Wheaton made the **MOTION** to raise starting pay for the Sheriff's Office deputies to \$20.00 per hour. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Singletary and Commissioner Guarnieri voting yea.

UNFINISHED BUSINESS

NONE

COUNTY ATTORNEY'S MATTERS

- (A) **Consideration to adopt an amendment to Chapter 58 Article IV, Section 58-86 of the Code of Ordinances Related to Approval of Minor Subdivisions and Plat Requirements with Respect to Such Minor Subdivisions. FIRST READING**
County Attorney Jimmy Skipper summarized the text amendment, referring to issues having been discussed at the November 8, 2022 meeting, including a date submission issue as well as a few more suggestions from our Planning Department consultants. Staff has also sent this amendment to surveyors in the area for their input as well, with additional comments also being received. The first reading was conducted.
- (B) **Consideration to adopt an amendment to Chapter 58 Article IV, Section 58-122 of the Code of Ordinances Related to Approval of Major Subdivisions and Plat Requirements with Respect to Such Major Subdivisions. FIRST READING**
County Attorney Jimmy Skipper stated that the comments are the same as was for item (A) except that this is for major subdivisions versus minor subdivisions. The first reading was conducted.
- (C) **Consideration to adopt an amendment to Chapter 38 Article VI Soil Erosion and Sedimentation Prevention. FIRST READING**
County Attorney Jimmy Skipper stated that this text amendment is reflective of GA EPD requiring the addition of one sentence into the code. No further changes are suggested. The first reading was conducted.
- (D) **Consideration to adopt an amendment to Chapter 6 of the Code of Ordinances Relating to the Sale and Consumption of Alcoholic Beverages, specifically regarding the Licensure of Package Stores. FIRST READING**
The first reading was conducted.
- (E) **Consideration to adopt a Resolution Terminating a Temporary Moratorium upon the Zoning, Permitting, Construction, and Operation of Package Stores.**
County Attorney Jimmy Skipper advised the Board to table this item, pending action taken on the previous Item D.
- (F) **Consideration to adopt a Resolution Extending a Temporary Moratorium upon the Zoning, Permitting, Construction, and Operation of Ancillary Healthcare Facilities.**
County Attorney Jimmy Skipper stated that this resolution would extend the moratorium, originally adopted to expire January 20, 2023, through April 20, 2023 to allow for additional time to review and complete studies.

Commissioner Singletary made the **MOTION** to adopt a Resolution Extending a Temporary Moratorium upon the Zoning, Permitting, Construction, and Operation of Ancillary Healthcare Facilities. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Wheaton and Commissioner Guarnieri voting yea.

(G) **Consideration to adopt a Resolution Extending a Temporary Moratorium upon the Zoning, Permitting, Construction, and Operation of Mini Warehouses.**

County Attorney Jimmy Skipper stated that this resolution would extend the moratorium, originally adopted to expire January 20, 2023, through April 20, 2023 to allow for additional time to review and complete studies.

Commissioner Singletary made the **MOTION** to adopt a Resolution Extending a Temporary Moratorium upon the Zoning, Permitting, Construction, and Operation of Mini Warehouses. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Wheaton and Commissioner Guarnieri 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.

Henry Jones – Winifred Drive – Speed Limit Issue

Chairman Mathis made the **MOTION** to lower the speed limit on Winifred Road to 45mph. Commissioner Singletary seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Wheaton, Commissioner Guarnieri, and Commissioner Walls voting yea.

ANNOUNCEMENTS

- (A) The next regularly scheduled County Commission Meeting is **Wednesday, January 11, 2023 (rescheduled from Tuesday, January 10, 2023 due to a scheduling conflict) at 6:00pm.**
- (B) The renewal process for 2022 Occupation Tax/Business License began November 1, 2022. **All current business licenses will expire on December 31, 2022.** Please contact Building Inspection at (229) 759-3326 for any questions.
- (C) Offices of the Lee County Board of Commissioners will be **closed Friday, December 23, 2022 and Monday, December 26, 2022** in observance of Christmas and **Monday, January 2, 2023** in observance of New Year's Day.

ADJOURNMENT

The meeting adjourned at 7:31PM.

Facebook video link: <https://www.facebook.com/leecountyga/videos/3281782262135595>

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.