



BOARD OF COUNTY COMMISSIONERS

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

TUESDAY, JULY 11, 2023 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
Luke Singletary, Vice-Chairman	District 2
Dennis Roland, Commissioner	District 1
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 voting session on Tuesday, July 11, 2023. 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 Luke Singletary, Commissioner Dennis Roland, 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 6:03pm.

INVOCATION

Apostle Malden Batten, The Church of Leesburg, 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 minutes for the Board of Commissioners meeting for June 27, 2023.** Commissioner Roland made the **MOTION** to approve the minutes for the Board of Commissioners meeting for June 27, 2023. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Singletary and Commissioner Guarnieri voting yea.

CONSENT AGENDA

NONE

NEW BUSINESS

- (A) **Tommy Gregors, Director of Artesian Alliance, to address the Board regarding programs and facility improvements.**

Handouts were provided to the Board by Mr. Gregors. Mr. Gregors spoke on the growth plan for Chehaw Park & Zoo, including the addition of a zip line and three tier adventure course as well as a revamp of the play park area with replacement of play equipment. The play park has seen approximately 750,000 kids since its development over 20 years ago, which was also community built involving over 2,000 volunteers. There are also plans to expand the zoo in the future, including an additional zip line trail.

The total estimated cost of this proposed project is \$1.6 million. These funds are to be split among Dougherty County (\$500,000.00), the City of Albany (\$500,000.00), Lee County, the Chehaw Park Authority

(\$150,000.00), and the Flint Riverquarium (\$50,000.00), with Lee County's requested contribution at approximately \$400,000.00. After all expenses and labors are paid, with an estimated anticipated 7,000 users per year, after year one, an estimated net of \$205,000.00 per year is expected. This will also add job opportunities as nine additional staff members will be needed as well as seasonal staff as needed.

The zip line will take an approximate nine months to build whereas the play park may be completed in two months. It would be most beneficial to complete all projects at once. Mr. Gregors added that the risks and liability of the zip line have been reduced; there are new harnesses and hookups with safety features. The price also includes service and maintenance.

PUBLIC HEARING

- (A) **Brittany Land Company, LLC (Z23-006) has submitted a request to rezone two (2) lots at a total of 49.297 acres from AG to R-1. This property lies in Parcels 025 044 & 026 016 in Land Lot 71 of the Second Land District of Lee County, Georgia. Planning Commission recommends approval, with the following condition, as presented on the staff report: The proposed development must reduce impacts on floodplains (and wetlands, if identified) to the extent possible.**

Chairman Mathis opened the Public Hearing.

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

- (B) **Oakland Plantation Partners, LLC (Z23-007) has submitted a variance application to allow the following setbacks: 18' front, 10' rear, and 5' side for each lot. This is currently zoned R-2. The total number of acres is 39.316. This property is located off of Oakland Parkway in Parcel 017D 004. Planning Commission recommends approval with a 3 – 2 vote.**

Chairman Mathis opened the Public Hearing.

Bobby Donley, Lanier Engineering, addressed the Board regarding this application for a proposed subdivision development that some have considered The Villas Phase II, to be called "Whisperwood". The new subdivision has the same overall concept, setbacks, and plan as The Villas, including the small lot sizes. The project is currently in the design phase. Commissioner Roland reminded Mr. Donley and the Board of a current sewer moratorium set by the Utilities Authority, to which Mr. Donley replied that he is aware of said moratorium, and feels confident that it will be at least one year before any homes are built.

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

- (C) **An ordinance to amend Chapter 70 of the Code of Ordinances of Lee County (the Lee County Zoning Code) so as to amend definitions as required by 2022 Georgia Laws Act 881 (HB 1405). Planning Commission recommends approval.**

Chairman Mathis opened the Public Hearing.

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

- (D) **An ordinance to amend Section 70-6 of the Code of Ordinances of Lee County relating to definitions under the Lee County Zoning Code so as to revise the definition of "home occupation, residential". Planning Commission recommends denial with a 4 – 1 vote.**

Chairman Mathis opened the Public Hearing.

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

- (E) **An ordinance to amend Chapter 70, Article III, Section 70-94 of the Code of Ordinances of Lee County relating to greenspace, so as to establish the process to determine unbuildable land and undevelopable land. Planning Commission recommends approval, with the following amendment: A minimum of twenty-five percent (25%) of the remaining developable land shall be preserved as greenspace regardless of service level.**

Chairman Mathis opened the Public Hearing.

Co-Assistant County Manager/ Chief Building Official Joey Davenport addressed the Board to further explain the definition of "service level". The current ordinance states (in Section 70-95 (3)), **(i)** "if there is to be a County-provided water system *or* a County-provided sewer system for the lots in the subdivision, a minimum of **twenty-five percent (25%)** of the remaining developable land shall be preserved as greenspace"; **(ii)** "if there are to be wells and septic tanks for the lots in the subdivision, then a minimum of **ten percent (10%)** of the remaining developable land shall be preserved as greenspace"; and **(iii)** "if there are to be water system and septic tanks for the lots in the subdivision, then a minimum of **ten percent (10%)** of the remaining developable land shall be preserved as greenspace". After discussion at their regular meeting, the Planning Commission voted to recommend the percentage be changed to 25% throughout the section.

Bobby Donley, Lanier Engineering, addressed the Board regarding the use of "and" vs "or" within the document in Section 70-95 (3)(i) as follows, "if there is to be a County-provided water system *or* a County-provided sewer system for the lots in the subdivision, a minimum of twenty-five percent (25%) of the remaining developable land shall be preserved as greenspace" whereas in the title of the document the word "and" is used, as follows "County-provided water system *or* a County-provided sewer system".

Chairman Mathis stated that the will of the Board was to correct some wording within the ordinance pertaining to usable space and the definition of "density", with no discussion being considered for the change of the percentages in the original ordinance. The purpose was to clarify that "density" is determined by the number of usable acres, not total acres. Chairman Mathis asked County Attorney Jimmy Skipper to review the text amendment.

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

DEPARTMENTAL MATTERS

Building Inspection/ Business Licensing

- (A) **Milan Patel (Z23-005) has submitted an application for a proposed new business which would include the construction of a package store on U.S. Hwy 82, utilizing two (2) currently vacant lots at 1.19 acres each, for a total of 2.38 acres. The property owner is R. L. Joiner, Jr., et al. The subject property consists of Parcels 029B 004 & 029B 003 in Land Lot 263 of the Second Land District of Lee County, Georgia.**

Co-Assistant County Manager/ Chief Building Official Joey Davenport summarized the application and stated that all requirements are met and the property is already properly zoned at C-2. The applicants simply wished to be sure the application for a package store was approved before moving forward with the purchase and combination of the two vacant lots.

Commissioner Singletary made the **MOTION** to approve the application for a proposed new business which would include the construction of a package store on U.S. Hwy 82, utilizing two (2) currently vacant lots at 1.19 acres each, for a total of 2.38 acres. The property owner is R. L. Joiner, Jr., et al. The subject property consists of Parcels 029B 004 & 029B 003 in Land Lot 263 of the Second Land District of Lee County, Georgia. Commissioner Roland seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Walls voting yea.

E-911

- (B) **Consideration to approve the placement of the new telecommunications tower in North Lee County.**

Commissioners Roland and Singletary voiced support for locating the tower at Fire Station 4 as it is continuously staffed and therefore any equipment can be monitored; just seems like the safer option overall. Commissioner Walls stated that his concern was if the fire station needs expanding due to added personnel, to which Commissioner Singletary stated that he didn't see a need for expansion for a while there and if expansion was needed, there was room on the property to accommodate it even with a tower. County Manager Christi Dockery added that the property is 2.5 acres.

Commissioner Roland made the **MOTION** to approve placement of the new telecommunications tower in North Lee County at Fire Station 4. Commissioner Singletary seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Walls voting yea.

CONSTITUTIONAL OFFICERS & GOVERNMENTAL BOARDS/AUTHORITIES

(A) **Discussion of the Board of Tax Assessors.**

Chairman Mathis stated that a member of the Tax Assessors Board will be moving out of the County and therefore resigning from that board. Chairman Mathis asked the Board to provide recommendations and help find volunteers to fill the vacancy. County Manager Christi Dockery added that this board includes course work and continuing education requirements. This individual also served on the Utilities Authority, so there will be a vacancy on the board as well.

COUNTY MANAGER'S MATTERS

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

County Manager Christi Dockery discussed ongoing projects in the County: (1) Staff has until the end of July to submit project ideas and wish lists for SPLOST VIII; and (2) staff, along with Southwest Georgia Regional Commission staff, is working together to complete the Comp Plan Update.

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

Commissioner Roland made the **MOTION** to declare the following vehicles and equipment surplus: A 2010 Ford F-150 XL Pickup Truck, 2007 Ford F-150 Pickup Truck, 1984 Caterpillar 130 G Motorgrader, two (2) 6 foot Rhino Mower Decks, Woods Batwing Mower Deck, 2006 John Deere Gator 6X4, 1994 Olympian Generator, 2007 Generator, 2003 Generator, 2008 Generator, 2003 Generator, 1999 Generator, two (2) 2000 Generators, 1999 Olympian Generator, 1999 Generac Generator, Ingersoll Rand Permanently Installed Stationary Air Compressor, TR-1 Pipe Trailer with pipes pin type hitch, TR-2 Pipe Trailer with pipes pin type hitch, 2001 Honda Rancher ATV, Worthing Air Compressor, Hydraulic Pump with motor and tank, 2004 Dog Box slide in unit, 2003 Dog Box slide in unit, and a 2004 Dog Box slide in unit. Commissioner Singletary seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Walls voting yea.

(C) **Discussion of LMIG 2024.**

Chairman Mathis opened the discussion by stating that between LMIG, TSPLOST, and SPLOST funds, there is approximately \$5 million that can be used for road projects. Chairman Mathis asked the Board members to decide on needed projects within their districts. Current costs are as follows: \$1.25 million to pave a dirt road mile and \$230,000 to resurface a paved mile. The 2024 LMIG application is due in February 2024.

COMMISSIONER'S MATTERS

(A) **Discussion of parks and greenspace.**

County Manager Christi Dockery stated that the GIS Department was working to compile a list of greenspace within the County that was dedicated as greenspace after 2005. The information from GIS will include data such as the subdivision name, parcel number, and the property owner's name in an effort to verify it complies with the ordinance that greenspace must be owned by a trust, a HOA, or the County.

Parks & Recreation Director Jeremy Morey was present. Mr. Morey began the discussion about the "pocket parks" located in the Springdale, Callaway Lakes, and Huntingdon subdivision areas. Handouts were provided to the Board detailing Mr. Morey's analysis and proposed improvements to each park, including estimated costs for the projects. Proposed improvements discussed include fencing, new playground equipment, solar security lighting, picnic tables, and continued maintenance. Chairman Mathis stated there were funds available with impact fees that could be used for such projects.

Mr. Morey stated that he had spoken to some homeowners who voiced mixed feelings about the existence of the parks in their respective neighborhoods. Previously, partial fencing and barriers were placed at the rear of

the park in Calloway Lakes; however, full, permanent fencing is now being considered due to unwanted vehicle and ATV/UTV traffic in that area. Chairman Mathis asked Mr. Morey to provide a plan and list of suggested improvements for each park after speaking with the Commissioner of each respective district the parks are in, as well as homeowners.

Commissioner Guarnieri asked Mr. Morey if he felt the playground equipment needed to be replaced, to which Mr. Morey replied that some could be replaced and added that some equipment had been replaced, as needed, over the years. There is also not much room for additions/ expansion within the small parks. Chairman Mathis stated that if trees needed to be removed, that would be acceptable. Chairman Mathis also suggested the addition of state park type grills for the locations.

Commissioner Walls asked about the Pine Lakes greenspace (verified listed as greenspace on the plat). Mr. Morey stated that he went out to the 14 acre property and noticed many access points to the property. Gates could be added, but there is no room on the property for parking. Chairman Mathis suggested clearing some of the trees and brush enough to fence the property to create a large park.

Commissioner Roland also asked if the parks such as that at Callaway Lakes, since owned by the County, are open to being enjoyed by all Lee County citizens to which Chairman Mathis stated "yes". Commissioner Walls also asked if it was possible to install toddler sized swings at the parks, to which Mr. Morey stated he would look into those prices and requirements.

(B) **Discussion of abandoned houses.**

County Attorney Jimmy Skipper began this discussion by stating that there is an ordinance based on state law pertaining to nuisance unfit dwellings, structures, and buildings. If building code officials look into a dilapidated building, there are a list of qualifications to be deemed abandoned and a petition is filed in Magistrate Court. The owner will be served and a hearing scheduled. If the Magistrate Court Judge finds that it meets the criteria to be deemed dilapidated, the judge then has the authority, depending on the value of the property as it currently sits, to order the property owner to repair it or to order the property owner to have it demolished at their own expense.

The standard is that if it costs more than the property is worth to repair it, it may then be ordered to be torn down. Documentation from appraisers to establish value of the structure are examined before making this decision. If the property owner does not act within the timeframe provided by the judge, the County may take matters into their own hands with a court order and demolish the structure at that point. Once torn down, the County would have a lien on that property for the amount it cost the County to have the building torn down.

Chairman Mathis, with no objection from the Board, asked Mr. Skipper to move forward with this ordinance process. Mr. Skipper added that if the County could do several properties at one time, it would make a little more efficient. Commissioner Walls asked if these houses could be condemned. Mr. Skipper stated that a condemnation just means they are inhabitable, which doesn't solve the problem.

UNFINISHED BUSINESS

NONE

COUNTY ATTORNEY'S MATTERS

NONE

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 – Current state of Old Leslie Road and a request for paving

ANNOUNCEMENTS

- (A) The next regularly scheduled County Commission Meeting is **Tuesday, July 25, 2023 at 6:00pm.**
- (B) The **Lee County Rivers Alive** annual clean-up event will be **Saturday, July 29, 2023 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.

ADJOURNMENT

The meeting adjourned at 7:09PM.

Facebook video link: <https://www.facebook.com/leecountyga/videos/822979749223370>

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.