

LOWNDES COUNTY BOARD OF COMMISSIONERS
MINUTES
REGULAR SESSION
Monday, October 11, 2022

COMMISSIONERS PRESENT

Chairman Bill Slaughter
Vice Chairman Scott Orenstein
Commissioner Joyce Evans
Commissioner Mark Wisenbaker
Commissioner Demarcus Marshall
Commissioner Clay Griner

Chairman Slaughter called the meeting to order at 5:30 p.m. and recognized the presence of Leadership Lowndes and Lowndes Youth Leadership League members.

INVOCATION

Commissioner Griner

PLEDGE OF ALLEGIANCE TO THE FLAG

Commissioner Griner

MINUTES

Chairman Slaughter stated if there were no objections, an item is being requested to be added to the agenda, an updated Service Delivery Strategy Agreement. Chairman Slaughter stated information was received late Friday afternoon and this is the reason for this request. There being no objections, Chairman Slaughter asked that the item be added.

The minutes were presented for the work session of September 26, 2022 and the regular session of September 27, 2022. Vice Chairman Orenstein made a motion to approve the minutes as presented, Commissioner Evans second. All voted in favor, no one opposed. Motion carried.

PUBLIC HEARING

REZ-2022-16 The Townes at 4443 Bemiss, ~14.1 acres, from C-G & R-A to P-D & C-G, County Utilities, Planning and Zoning Director, J.D. Dillard, presented the item. Mr. Dillard stated this request represents a change in zoning on the subject properties from R-A (Residential Agriculture) to P-D (Planned Development) and C-G (Commercial General) to P-D, and from R-A to C-G zoning. The applicant is asking to create a mixture of residential and commercial sites for development in various stages. Mr. Dillard stated the subject property possesses road frontage on Bemiss Road and Mulligan Road. Mr. Dillard stated the plan for this development is for multi-unit townhomes. Mr. Dillard stated the P-D portion is a total of 8.86 acres and there is a total of 5.56 acres of commercial zoning. The Planning Commission recommended approval and the TRC had no objectionable comments. Vice Chairman Orenstein asked the allowable uses in C-G (Commercial General) zoning, with a church

being next door, we could expect to see office space and/or retail, Mr. Dillard answered correct. T.C. Norris, 3926 Robinhood Road, Pastor of Grace Community Chapel located at 4513 Bemiss Road, spoke against this request. Mr. Norris stated he did not receive a letter regarding this rezoning request in a timely manner in order to respond at the Planning Commission meeting. Mr. Norris asked (1) what is the specific type of development, (2) Grace Community Chapel requests an opaque privacy fence running east to west with a berm located on the southern side of the fence, and (3) are there any restrictions in place preventing certain types of construction near a church. Commissioner Marshall asked regarding the notice which was sent related to this rezoning, since Mr. Norris stated he did not receive it in a timely manner, Chairman Slaughter asked Mr. Dillard to respond, Mr. Dillard stated the notices were sent via certified mail as required with signs being posted on the property as well. Chairman Slaughter responded he would try to answer Mr. Norris' questions. Chairman Slaughter stated residential townhomes will be constructed and commercial development on Bemiss Road. Chairman Slaughter stated what would be allowed in the commercial development would be retail and office space. Chairman Slaughter stated there are ordinances currently in place which require a certain amount of distance from a church to a liquor store. Further, Chairman Slaughter stated the property lines are governed by the construction and development standards. Mr. Norris addressed the commission again, stating a privacy fence request is a reasonable request and hopefully considered. Mr. Ralph Inman, 1100 Old Meadow Road, spoke against this request. Mr. Inman stated the notification letter Mr. Norris mentioned was sent to Roswell, Georgia - to the foundation that owns the property; in turn, a notice was sent to Pastor Norris and was received after the Planning Commission met. Mr. Inman stated the property owner has a right to make a profit and the County has a right to collect tax revenue from this land. The church has a strong desire for privacy, sanctity and other church interests. The current home owners may suffer lower property values. Mr. Inman stated with the multi-family residential there will be an infringement on light, air, an increase in noise, and more people in this smaller area. Mr. Inman asked is there a better way to achieve this plan. A noise berm has been requested, fencing and Spruce or Cypress trees to also help with the noise. Further, Mr. Inman stated regarding the commercial future development, same as above, no church wants a liquor store, bar or nightclub as part of commercial development. Regarding the multi-level residential, the church would prefer not to have government subsidized housing, a halfway house and no animals. Lastly, Mr. Inman stated from the plans it appears and is unclear regarding how the traffic will enter or exit onto Bemiss Road. Commissioner Marshall asked to verify if the request from the citizens speaking is for a privacy fence and berm, Chairman Slaughter stated yes, they are asking for a privacy fence to be installed and a berm, if approved. Zachary Cowart, 109 West Adair Street, and Matt Inman, 4560 Val North Drive, Suite E, spoke in favor of the request on behalf of the applicant. Mr. Cowart stated there would be a six-foot wooden fence on the northside that will separate the subdivision, if zoning is approved. There will be an additional light on Bemiss Road and a turn lane, two exits in the rear and one exit in the front. Mr. Cowart stated there is proposed 97 townhomes with commercial on the front with P-D zoning. Commissioner Wisenbaker asked if there would be an issue installing a privacy fence along the border of church and development, Mr. Dillard stated the residential portion does show a fence and there is not a requirement to buffer between commercial zoned properties. Commissioner Wisenbaker asked even though it is not a requirement, would the developer be willing to install a privacy fence as requested by the church, Mr. Cowart commented there wasn't an issue with the fencing. Vice Chairman Orenstein stated he was not in favor of fencing between C-G and C-G zoning when it is a speculative property, until we know what will be developed there. Mr. Cowart responded the developer could proceed with the fencing voluntarily and not be required to install. Vice Chairman Orenstein questioned if the developer did not reach out to the church, Mr. Matt Inman responded he did not know. Commissioner Marshall asked regarding conditions being listed, Mr. Dillard responded there are no conditions recommended by Planning Commission or staff.

Commissioner Griner made a motion to approve the rezoning request with the condition the developer constructs an opaque privacy fence which extends east and west along the northern property line to the commercial property, from the multi-family housing all the way down to Bemiss Road, Commissioner Wisenbaker second. All voted in favor, no one opposed. Motion carried.

REZ-2022-17 Seckinger Road, ~3.7 acres, E-A to R-1, Well & Septic, Planning and Zoning Director, J.D. Dillard, presented the item. Mr. Dillard stated this request represents a change in zoning on approximately 3.7 acres from E-A (Estate Agricultural) zoning to R-1 (Low Density Residential) zoning, in order for the properties to be reconfigured into conforming lots. Mr. Dillard stated the current parcels are considered legal non-conforming in their E-A zoning district. The Planning Commission recommended approval and the TRC had no objectionable comments. No one spoke for or against this request. Commissioner Marshall made a motion to approve this rezoning as presented, Vice Chairman Orenstein second. All voted in favor, no one opposed. Motion carried.

FOR CONSIDERATION

Laurel Run Subdivision Lift Station Quitclaim Deed, Utilities Director, Steve Stalvey, presented the item. Mr. Stalvey stated the county has a lift station located within the Laurel Run Subdivision. Mr. Stalvey stated the title is currently vested in the Laurel Run Property Owner's Association, Inc. and they have signed and attached the Quitclaim Deed of the parcel to the County. Commissioner Griner made a motion to approve the request as presented, Commissioners Evans and Wisenbaker second. All voted in favor, no one opposed. Motion carried.

Beer License - Rushikalaben Patel of Rudra 14, LLC, DBA Bemiss Quick Mart - 4357 Bemiss Rd., Valdosta, GA, Finance Director, Stephanie Black, presented the item. Ms. Black stated this is a request for a beer license for consumption off premises, due to a change in ownership. Vice Chairman Orenstein made a motion to approve the license, Commissioner Griner second. All voted in favor, no one opposed. Motion carried.

Eagleview Pictometry Agreement between the Lowndes County Board of Assessors and Pictometry International Corp., Chairman Slaughter presented the item stating the Commission heard from Mrs. Bryant with the Assessors' Office during the work session. No further discussion took place. Commissioner Marshall made a motion to approve the request as presented, Commissioner Griner second. All voted in favor, no one opposed. Motion carried.

Adopt Resolution Accepting Infrastructure for Val Del Estates Subdivision Phase II, Engineering Services Director, Chad McLeod, presented the item. Mr. McLeod stated the Val Del Estates Subdivision Phase II is located on Val Del Road and has 24 lots. Mr. McLeod stated engineering staff and utilities staff have completed the final inspections of the project. Commissioner Marshall made a motion to approve the request as presented, Vice Chairman Orenstein second. All voted in favor, no one opposed. Motion carried.

Service Delivery Strategy Agreement, Chairman Slaughter stated the last Service Delivery Strategy agreement was delivered to the City of Valdosta on May 13, 2022. The City of Valdosta's response was related to the water and sewer service area maps. The Lowndes County Board of Commissioners has approved extraterritorial extensions of water and sewer services to the former Carroll property, the Monster Storage property and also the Hahira sprayfield property. Also, the Board has considered

Dasher's provision of a library, which came up during Local Option Sales Tax (LOST) negotiations. Commissioner Marshall made a motion to approve and deliver the updated Service Delivery Strategy agreement to Mayor Matheson tomorrow, Wednesday, October 12, 2022, Commissioner Evans second. Commissioner Griner commented the last Service Delivery Strategy agreement was sent in May 2022 and the map issues could have been resolved and afterwards signed. Vice Chairman Orenstein asked for the deadline for the city's response, Chairman Slaughter answered October 21, 2022. Vice Chairman Orenstein stated if there is no response on the city's part, he expressed his reluctance and opposition to a further extension. Chairman Slaughter stated his cover letter is very explicit, if not approved by October 21, 2022. Commissioners Evans, Orenstein, Wisenbaker and Marshall voted in favor of the request, Commissioner Griner opposed. Motion carried.

REPORTS - County Manager

County Manager, Paige Dukes, mentioned the October 28th 10:00 a.m. - 12:00 p.m. Annual River Clean Up, inviting the community to participate, with the Troupeville Boat Ramp and Naylor Boat Ramp included for the county sites. Mrs. Dukes mentioned sign up was available on our websites. On Wednesday, October 19th, in Albany, Georgia - Lowndes County will be attending a CDBG Grant Award ceremony through the Georgia Department of Community Affairs (DCA), with a CDBG check presentation beginning at 9:00 a.m. October is Breast Cancer Awareness month and employees will be wearing pink on Friday, October 14th. On Tuesday, October 18th, Pumpkin and Paws will be held at Wild Adventures. Mrs. Dukes mentioned the employee department decorating contest for Wingersville week in which the Lowndes County Probation Office won. The Farmer of the Year Appreciation Breakfast for small and large farms will be held Thursday, December 8, 2022. Mrs. Dukes asked Mr. McLeod to update the commission on the current TIA projects. Mr. McLeod stated Old 41 is almost complete and Hightower and Cooper Road are almost complete with grading. In March 2023 Shiloh bridge replacement will begin and will be a 5.6 million dollar project. Briggston Road will begin in April 2023. Mrs. Dukes stated the Claytville Community Center will go out to bid again as well.

CITIZENS WISHING TO BE HEARD

John Quarterman, 6565 Quarterman Road, addressed the commission regarding a grant program related to finding waterway contamination sources and getting them fixed.

Matthew and Debra Williams, 4775 Bethany Drive, addressed the commission regarding an issue with a drainage ditch. Mr. Williams stated it has been a year with no resolution as of yet. Mr. Williams believes the issue is related to Bethany subdivision since there wasn't a problem before the subdivision was built. Mr. Williams submitted pictures for the commission to view from 2021 and 2022.

ADJOURNMENT

Vice Chairman Orenstein made a motion to adjourn the meeting, Commissioner Wisenbaker second. Chairman Slaughter adjourned the regular session at 6:25 p.m.