

Monroe County Board of Commissioners

Minutes of the August 06, 2024

Regular Commissioners Meeting

6:00 P.M.

Present:

Greg Tapley, Chairman

Eddie Rowland, Vice-Chairman

Lamarcus Davis, District 1

John Ambrose, District 3

George Emami, District 4

Staff:

Ben Vaughn, County Attorney

Jim Hedges, County Manager

Richard Dumas, Public Information Officer

Janet Abbott, County Clerk

Kelsey Fortner, Community Development Manager

Welcome

Chairman Tapley welcomed everyone in attendance.

Prayer

Pastor Jody Barfield of Forsyth United Methodist Church gave the invocation.

Pledge

Chairman Tapley led the Pledge.

Roll Call

County Clerk Janet Abbott called roll.

Call to Order

Chairman Tapley called the meeting to order at 6:00 P.M.

Proclamation-Rev. Cleveland Jarrell

Chairman Tapley read a Proclamation commemorating July 21, 2024, as Rev. Cleveland Jarrell Day. Sunday, July 21, 2024, will mark Rev. Cleveland Jarrell's 45th pastoral anniversary at Greater Friendship Baptist Church in Forsyth.

New Business

Approve Agenda

Chairman Tapley presented the agenda for approval with the removal of item K, and P & Z Hearings Barfoot and Davis/Hodge and the addition of Old Brent Road Bridge Road bid rejection.

Commissioner Ambrose motioned to approve the agenda with said changes.

Commissioner Davis seconded the motion, and the motion passed 5-0.

Approve Minutes-BOC Meeting-July 9, 2024, Regular Meeting

Commissioner Emami motioned to approve the minutes of the July 9, 2024, Regular Meeting with the usual 30 days for changes.

Commissioner Ambrose seconded the motion, and the motion was carried 5-0.

High Falls Towaliga Watershed Alliance

Sharon Cloud, President of High Falls Towaliga Watershed Alliance addressed the board. Ms. Cloud stated she represents over 1,000 members of the Save High Falls Lake Facebook group and over 10,000 petitioners opposing the development of 284 acres on the norther shore of High Falls Lake. Ms. Cloud stated the group is requesting Monroe County file an injunction against the sale of property by the Butts County Industrial Development Authority pending a flood study that includes an impact assessment on the dam.

Ms. Cloud stated the EPD published a Public Notice on May 31, 2024. The developer had requested a buffer variance to install a pipe draining into a catchment connected to the lake. Comments were restricted to environmental issues related to air, water, and land protection. As a result, we requested help from the River Basin Center at the University of Georgia, a stormwater watershed protection specialist and a county water authority supervisor. Within a two-week window we conducted two community workshops; both had attendance in excess of 80 people. Volunteers combed the community for signatures. Over 600 comments in opposition were submitted; 585 of those were handed to the Director of the EPD.

The Board thanked Ms. Cloud for her presentation.

No action was taken by the Board.

Property Assessment-Technical Appraisal Services

Meizer Nye, President of Technical Appraisal Services of Georgia, and Senior Project Manager Alan Hornaday addressed the Board regarding the recent appraisal of Monroe County properties. The representatives outlined the methodology incorporated into the recent assessment and provided statistical information.

HB 461 Implementation (Commercial Building Permit Fees)

HB 461 amends O.C.G.A. 48-13-9, relating to the imposition of regulatory fees by local governments, to require the proceeds of regulatory fees collected by a local government to be used for the related regulatory activity and not the general operations of the local government. Additionally, ‘registered investment advisors’, ‘shooting galleries and firearm ranges’, and ‘firearms dealers’ are added to a list of businesses to which local governments may not charge a regulatory fee. HB491 eliminates the ability for a local government to impose a fee for construction projects classified as renovation based on the cost of the project and instead requires the use of square feet for the calculation of a fee for new construction projects and renovation projects valued at \$75,000 or more.

House Bill 461 was approved by Governor Kemp and went into effect on July 1, 2024. Jeremy Head with Charles Abbott Associates presented a recommendation for the implementation of HB461.

Current Fee Schedule	
Up to \$2000.00	75.00 (minimum permit fee)
\$2001.00 to \$25,000.00	\$75.00 for the first \$2000.00 plus \$30.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001 to \$50,000.00	\$275.00 for the first \$25,000.00 plus \$6.00 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$475.00 for the first \$50,000.00 plus \$4.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00.
\$100,001.00 to \$500,000.00	\$675.00 for the first \$500,000.00 plus \$2.50 or each additional \$1,000.00, or fraction thereof, to and including \$500,000.00

\$500,001.00 to \$1,000,000.00	\$1,845.00 for the first \$500,000.00 plus \$2.25 for each additional \$1,000.00, or fraction thereof, to and include \$1,000,000.00
\$1,000,000.00 and up	\$3,045.00 for the first \$1,000,000.00 plus \$2.25 for each additional \$1,000.00, or fraction thereof
Foundation and Shell	50% of new construction fee
Full Interior Development	50% of new construction fee
Single Trade	\$75.00 flat fee-No Application Fee

- The proposed fee schedule categorizes buildings by their occupancy group and by their construction type.
- Multiple categories for commercial buildings will create fees that account for the variation in construction.
- Historical data from past permits issued were averaged to determine a cost per square foot.
- Differential between construction types was limited to \$0.10 per square foot.
- Where no permit data exists, fees from neighboring areas were used.
- Flat fees are included for trade work, swimming pools, signs, decks, demolition, cell towers, etc.
- All new construction and “extensive renovation” permits are calculated using the fee table
- Some flat fees were added for simplicity
- Several fees were increased to cover costs

Proposed Fee Schedule		
Occupancy Group per International Building Code (IBC)	Building Construction Typer per International Building Code (IBC)	
	Types I & II	Types III, IV, & V
A-Assembly	0.37	0.47
B-Business	0.58	0.68
E-Educational	0.63	0.73
F-Factory	0.60	0.70
H-High Hazard	0.52	0.62

I-Institutional	0.50	0.60
M-Mercantile	0.23	0.63
R-Residential	0.50	0.50
S-Storage	0.34	0.44
U-Utility/Miscellaneous	0.25	0.35

Table to be adjusted annually based on CPI

*Extensive Renovations are at 60% calculated rate

*Building shells are at 60% calculated rate

Commissioner Ambrose motioned to approve the fee structure proposed by Charles Abbott and Associates.

Commissioner Davis seconded the motion, and the motion was carried 5-0.

City of Forsyth Amended Notice of Annexation

The City of Forsyth has received an application for annexation of properties into the City of Forsyth shown on the Boundary & Partitioning Survey for Blake Ventures, LLC. The city has advertised annexations and zoning, and the application has been considered on numerous occasions by the City of Forsyth. A final approval was granted by the City of Forsyth on July 1, 2024.

The area requested by the petition for annexation is described as follows:

All of Parcels 2,4,5, and 6, that lie outside of the corporate boundaries of the City of Forsyth, as shown on a “A Boundary & Partitioning Survey for Blake Ventures, LLC” located in Land Lot 169 of the 6th Land District of Monroe County, prepared by Hugh W. Mercer, Jr., G.R.L.S. #1890, and dated November 20, 2006. The zoning of the properties outside of the City limits in the County is R-3 Residential and the proposed zoning for the parcels would be the zoning of R-M (Residential Multi-family) with a permitted use in such district being townhomes, as defined in the City Zoning Code. The second tract and adjacent parcel subject of the application for re-zoning adjoins the foregoing property and is all that tract or parcel of land situate, lying and being in Monroe County, Georgia, in Land Lot 169 of the 6th Land District of Monroe County and designated as Parcels 1, 2, 3, 4, 5, and 6 as shown on “ A boundary & Partitioning Survey for Blake Ventures, LLC”, containing a total area of 7.377 acres, as shown on a certain plat of survey prepared by Hugh W. Mercer, Jr., G.R.L.S. #1890, dated November 20, 2006. The zoning of the properties is proposed to be R-M (Residential Multi-family) for the proposed use for townhomes.

County Attorney Ben Vaughn presented the amended notice of annexation. Mr. Vaughn stated this is more of a notice that they have approved and assigned a zoning classification to the property. Mr. Vaughn stated this is not an action item, it's for information only.

Meeting Organizational Ordinance Amendment

County Attorney Ben Vaughn determined that some changes need to be made to the "Meeting Organization and Public Access to Meetings" ordinance approved in January. Mr. Vaughn presented the revised ordinance for approval.

Commissioner Ambrose motioned to approve the revised Meeting Organization Ordinance..

Commissioner Emami seconded the motion, and the motion passed 5-0.

Health Department Board Appointment

Hugh Cromer was appointed to the Monroe County Board of Health on February 1, 2022, to serve a six-year term which will expire on December 31, 2027. Mr. Cromer resigned effective immediately and a recommended replacement is Anita Harvey. Ms. Harvey is the current Branch Manager of the Forsyth Bank of Dudley.

However, state law mandates that each county Board of Health must have seven members with a very specific set of requirements. The county's chief executive officer (Chairman) holds the first position. A designee who holds elected office in the county's governing authority may serve instead. So, Ms. Harvey cannot be appointed to the Board of Health and either the Chairman or a member of the Monroe County Board of Commissioners must be on the Monroe County Board of Health.

Chairman Tapley appointed Commissioner Lamarcus Davis to the Monroe County Board of Health.

Recreation Department Board Appointment

Ms. Marecha Gaines Harvey is Commissioner Lamarcus Davis, District 1, appointee to the Monroe County Recreation Board, and she has resigned. Ms. Harvey's term expires on December 31, 2024, and Commissioner Davis recommends appointing Mr. Dentavious Traylor to serve the remainder of Ms. Harvey's term.

Commissioner Davis appointed Dentavious Traylor to the Monroe County Recreation Board.

ACCG 2024 Legislative Leadership Voting Delegate

The upcoming ACCG Legislative Leadership Conference scheduled for Thursday, October 10th in Athens-Clarke County requires Monroe County to appoint a voting delegate to cast our county's vote on matters coming before the conference business session.

Commissioner Davis motioned to appoint Chairman Tapley as the ACCG 2024 Legislative Leadership Voting Delegate.

Commissioner Rowland seconded the motion, and the motion carried 5-0.

Sheriff Training Facility Change Order and Closeout

This item was removed from the agenda.

2020-2025 SPLOST Update

With 1 ½ years remaining in the 2020-2025 SPLOST sales tax, the county and municipalities achieved the estimated collection of \$25,5000,000 in December 2023. All remaining collections are considered as “excess”.

Background

- 2020-2025 SPLOST referendum approved by the voters on November 6, 2018.
- Total SPLOST Collections estimated at \$25,500,000.
 - Monroe County-\$21,215,386
 - City of Forsyth-\$3,827,091
 - City of Culloden-\$457,725
- Due to poor administration of the 2014-2019 SPLOST bonds, bonding company required 85% of the 2019 bonds be spent in 36 months.
- AS of June 30, 2024, Monroe County has spent or obligated all SPLOST collections, except Roads.
- Excess SPLOST collections through December 2025 will be discussed later in this presentation.

Approved 2020-2025 Projects

- | | |
|--|-------------|
| • Internet Capital Outlay Projects | \$700,000 |
| • Road Department Equipment | \$1,119,045 |
| • Emergency Management Services | \$2,524,751 |
| • Roads | \$5,895,227 |
| • Water Projects | \$6,827,765 |
| • Recreation facilities | \$500,000 |
| • Sheriff’s Office Patrol Vehicles | \$746,030 |
| • Development Authority, Land Acquisition & Infrastructure | \$1,865,075 |
| • New Government Buildings | \$850,986 |
| • County Conference Center | \$186,507 |

- Total \$21,215,386

Internet Capital Outlay-\$700,000

- In 2021, it was determined SPLOST Internet Capital Outlay was not possible to support the expansion of internet in the county.
- This project was declared void by the BOC and funds were transferred to MCES.
- Eventually, Monroe County contributed \$970,000 from funds received from the American Rescue Plan for internet expansion in Monroe County.

Road Department Equipment-\$1,119,045

- CAT Articulated Truck
- 2 Grapple Trucks
- 2 PAN machines
- 2 Flat Bed Trailers
- Durapatcher Replacement
- Tractor
- Excavator
- 2 Pickup Trucks

MCES-\$3,224,752

- Completion of Fire Station 1
- 4 Ambulances
- 3 Freightliner Pumpers
- Weather Sirens
- 3 Vehicles
- 100 SCBAs & Tanks

Water Projects-\$6,827,765

- Leachate Tank
- Division 1: Rivoli Road, Jennings Lane, North Rivoli Farm, Field Springs
- Division 2: Estes Road, Cardiff Road, Wadley Road
- Division 3: Ga Hwy 42 South, Maynard's Mill Road
- Juliette Project
- Water Meters

- SCADA Upgrade

Recreation-\$500,000

- Truck
- Versa court
- Playground Creations
- Scoreboards
- ADA Playground Surfacing
- Restroom Refurbishing
- Floating Dock

Sheriff Vehicles-\$746,039

- 17 Vehicles
- Radios
- Lights and accessories

Future Land Acquisition & Infrastructure-\$1,865,075

- The SPLOST Project relates to the Monroe County Development Authority utilized on the development of the Industrial Park grading and drainage for the location of the DMV and other buildings at that site.

New Government Buildings-\$850,986

- Funds utilized for the construction of the new District Attorney/Public Defender Building along with ARPA funds.

Conference Center-\$186,507

- Audio system upgrade
- Carpets replacement
- Tables and Chairs replacement

Road-\$5,895,227

- McCowen Road
- Lakeshore Drive
- Wilder Road
- Forsyth Landing
- Flint Road

- County Creek Road Lakeshore Road
- \$4,687,299 Remains

Projected SPLOST Excess Proceeds

- | | |
|---|---------------|
| • Projected Net SPLOST Proceeds | \$35,543,068 |
| • Referendum SPLOST Proceeds | \$21,215,386 |
| • 2020-2025 SPLOST Excess | \$14,327,682 |
| • Interest Income | \$76,277 |
| • Bond Premium, Issuance Cost, Interest | (\$4,132,937) |
| • Projected Net Excess Proceeds | \$10,271,022 |

Use of SPLOST Excess Proceeds

- Pay down General Obligation Debts
 - ACCG Vehicle Loan
 - Energy Efficiency Loan
 - Fire Apparatus Loan
 - 2012 Bonds
- Reduce Ad Valorem Taxes

Pay Down Debt and Reduce Taxes

Projected Net Excess Proceeds	\$10,271,022
General Obligation Debt	
• ACCG Loan-Paid in Full	(\$264,145)
• 2012 Bonds-Paid in Full	(\$4,265,000)
• Fire Truck Loan-Paid in Full	(\$3,712,997)
Ad Valorem Tax Decrease-1.2008 Mil Decrease	(\$2,028,880)
Use of Excess SPLOST Proceeds	(\$10,271,022)

County Manager Jim Hedges stated the way forward is to authorize Finance to pay off the ACCG Loan, 2012 Bonds, the Fire Truck Loan (\$8,242,142) and to reduce the Ad Valorem Millage rate for 2025 by 1.2008 mils on a one-time basis (\$2,028,880) stemming from the Excess 2020-2025 SPLOST proceeds.

Commissioner Ambrose motioned authorize Finance to pay off the ACCG Loan, 2012 Bonds, the Fire Truck Loan (\$8,242,142) and to reduce the Ad Valorem Millage rate for 2025 by 1.2008 mils on a one-time basis (\$2,028,880) stemming from the Excess 2020-2025 SPLOST proceeds.

Commissioner Emami seconded the motion, and the motion carried 5-0.

2024 Millage Rate

The 2020-2026 SPLOST collections are projected to exceed the approved amount in the 2018 referendum by \$10,271,997. By law, excess SPLOST collections can only be used to pay down General Obligation Debt, and or to reduce Ad Valorem taxes.

The anticipated excess will be used to pay down the ACCG loan of \$264,145, the 2012 Bonds of \$4,265,000, and the Fire Truck loan of \$3,712,997, and the balance of \$2,028,880 to reduce the 2024 Ad Valorem taxes. This equates to a reduction of 1.2008 mils. The recommended millage rate for 2024 will be 10.803 mils, reduced from 12.004 mils. This is a recommended one-time reduction.

County Manager Jim Hedges stated the net digest value has increased by \$143,464,980. This is a result of reassessments in the amount of \$104,353,363 and \$46,911,115 in growth. This amount is partially offset by exemptions in the amount of \$7,799,498.

The value of 1 mil has increased from \$1,546,134 to \$1,689,599: a 9% increase.

Excess SPLOST collections of \$2,028,880 will require the millage rate to be lowered on a one-time basis. No rollback is recommended.

Commissioner Ambrose motioned to approve Finance Director Lorri Robinson to advertise the proposed Millage rate for 2024 as 10.803 with no rollback.

Commissioner Rowland seconded the motion, and the motion carried 4-1 with Commissioner Emami opposed.

Commissioner Emami stated he would like to reduce the millage rate by 1.2 mills but also roll back the millage rate.

P&Z Hearings

P&Z Hearing-Rezoning-Barefoot

Commissioner Ambrose motioned to enter a public hearing at 7:04 p.m. for a rezoning application located on Ensign Road.

Commissioner Davis seconded the motion, and the motion carried 5-0

Community Development Manager Kelsey Fortner presented a rezoning application at 173 Ensign Road, Map F05 Parcel 002. The property owner/Applicant is John Barfoot. Mrs. Fortner stated the application is for a rezoning a portion of a 2.21-acre tract from R-1 to C-1. The C-1 request would be for ½ acre and utilized as a specialty shop (antique & thrift store). Rezoning the remainder for A-G. The Planning and Zoning Board recommended approval.

Tammy Rafferzeder resident of Higgins Mill Road stated she owns property adjacent and there are a few buildings on the property and wonders if there are any plans to remove them to make a parking lot?

Mr. Barfoot replied he will be removing trees and timber for parking spaces but doesn't anticipate needing a lot of space for parking and currently he has no plans to remove any buildings.

Commissioner Ambrose stated there are two existing houses on the property and asked the applicant if he was planning to renovate them to rent out.

The applicant replied yes, he would be renovating them, and he would live in one and possibly rent the other one out.

Commissioner Emami motioned to come out of the public hearing at 7:10 p.m.

Commissioner Ambrose seconded the motion, and the motion carried 5-0.

Commissioner Rowland motioned to approve the application.

Commissioner Davis seconded the motion, and the motion carried 4-1 with Commissioner Ambrose opposed.

P&Z Hearing-Rezoning-Honeybee Hollow Ministries

Applicant pulled the application prior to the meeting.

P&Z Hearing-Variance-Davis/Hodge

Applicant pulled the application prior to the meeting.

Old Brent Road Bridge Bids

County Attorney Ben Vaughn made a recommendation to the Board to reject the bids recently received for the Old Brent Road Bridge project and to readvertise for bids.

Commissioner Ambrose motioned to approve to reject the bids and to readvertise.

Commissioner Davis seconded the motion, and the motion carried 5-0.

Public Comments

Betty Eskew resident of 514 Brushy Creek Circle stated a large presentation was given tonight but this was also an ask for an injunction, and she would like the injunction to be addressed. She stated the issue was very important not just that affects Brushy Creek.

Wade Foster resident of 635 Harbour Shores Drive stated he lives within view of the future development. He urged Commissioners to consider filing an injunction. Mr. Foster stated the flood plain has already changed in the seven years he has lived here.

Blake Joyner resident of 523 Harbour Shores Drive stated the development will affect stormwater drainage. He stated the developer has only submitted basic plans and does not provide enough information.

Ken Cloud resident of 125 Bass Circle Jackson stated public officials are servants and trustees of the people and are expected to govern to the will of the people.

Mark Dagostino resident of Buck Creek Drive asked commissioners to offer Hillwood Development an alternate location.

Doug Williams stated he had been a Stokes Store Road resident since 2014 and any development such as the one being discussed should be put before the public prior to approval.

Tammy Rafferzeder stated she has family on the lake and river, and it is a shame that our county government didn't have knowledge of what was going on to the north of the county.

Bronwen Morgan resident of 159 Towaliga Drive stated she is proud of the High Falls residents for standing up for their community and voicing their opinion.

Ms. Morgan stated she would like the public comments section of the agenda to come after commissioner comments to allow the public to address issues the Commissioners may have addressed during their comments.

Commissioner' Comments

Commissioner Lamarcus Davis

Commissioner Davis thanked everyone in attendance for being concerned about the community and wanted to remind everyone of the Meet and Greet on August 20th. In the Board of Commissioners conference room from 7:00 A.M. until 8:30 A.M. and from noon until 8:00 P.M.

Commissioner Eddie Rowland

Commissioner Rowland stated he wanted to thank Management and Finance for their hard work so that the Board can reduce the millage rate.

Commissioner John Ambrose

Commissioner Ambrose stated he did not appreciate the remarks made from Ms. Raferzeder regarding the Commissioners knowledge of the development in the north end of the county.

Commissioner Ambrose addressed Ms. Morgans comments regarding the Meeting Organization Ordinance.

Commissioner Ambrose stated effect January 1, 2025, he will make a suggestion that will effectively warn the library and the library board members that if the controversial book is not moved to the adult section, he would make a recommendation to shut it down.

Commissioner George Emami

Commissioner Emami thanked everyone that showed up and stated we hear you and are listening and the message has been received loud and clear. He stated he would like to iterate Ms. Clouds presentation was excellent and the erosion control plan was absolutely something he would like to see. Commissioner Emami stated the Board of Commissioners do not have legal authority as your commission to file an injunction. He stated we have taken action on your behalf a month or so ago by writing a letter of concern regarding the development and sent it to the counties involved, the EPD and other government agencies letting them know we are watching.

Commissioner Emami asked the county attorney to research and make sure the standing the county has on this issue.

Chairman Greg Tapley

Chairman Tapley stated Ms. Cloud done a yeoman's job of putting the presentation together and thanked her for keeping the Board informed.

County Attorney Ben Vaughn

Mr. Vaughn stated he thinks this is only his second time for attorney comments and it is not lost on him that none of the people in the audience likes his opinion. He stated an injunction is a civil action and this is not a measure the county itself could put on this development. He stated the Commissioners would be requesting a Superior Court Judge to enter the injunction. Mr. Vaughn stated he doesn't think Monroe County could win an injunction case against the neighboring counties and said he advised the board against taking legal action.

Mr. Vaughn stated it is his job to tell the board what you need to hear and not what you want to hear and that is important.

Mr. Vaughn then addressed Ms. Morgan's comments regarding the Meeting Organization Ordinance stating there is no requirement in Georgia law that the public be allowed to comment.

Executive Session

There was no executive session.

Action from Executive Session.

There was no executive session therefore no action.

Adjourn

Commissioner Ambrose motioned to adjourn at 7:55

Commissioner Davis seconded the motion, and the motion was carried 5-0.

Respectively Submitted by:

Janet Abbott, County Clerk