

**REGULAR SESSION
TIFT COUNTY BOARD OF COMMISSIONERS
MONDAY, August 8, 2016 (6:00 P.M.)**

The scheduled Regular Session of the Tift County Board of Commissioners was called to order by Chairman Thompson on Monday, August 8, 2016, at 6:00 P.M. in the Commissioners Meeting Room in the Administrative Building. Member of the Commission present including Chairman Thompson were Vice Chairman Melissa Hughes and Commissioners Stan Stalnaker, Robert Setters, Donnie Hester and Buck Rigdon. Commissioner Greg Wood was out of town on business and was not present.

Commissioner Robert Setters gave the invocation followed by the pledge to the flag.

These minutes reflects the Chairman's vote since a Commissioner is absent.

Minutes: Motion approving the minutes of July 5, 2016 Workshop Session, and Executive Session, July 11, 2016 Regular Session and July 21, 2016 Called Session was made by Commissioner Hester, seconded by Vice Chairman Hughes. Motion carried unanimously.

Public Comments: None

PUBLIC HEARING:

A. TC-ZA-16-04: Application by Johnathan Garvey, D/B/A Tifton Rental Houses, request rezoning of 1.89 acres located at 1608 Westover Road from R-12 (Residential) to M-R (Multi- Residential). The site plan indicates a proposed development of 4 buildings of which two buildings have 6 apartments and 2 have 5 apartments for a total of 22 apartments. Tift County Tax Map 045 Parcel 013:

Carl Fortson gave the staff report. This application came before the Planning and Zoning Board on July 14, 2016. The staff report was given to the Board member with a recommendation of approval since it was found to be in compliance with the Standards for Exercise of Zoning Powers. The Zoning Board members had a brief discussion of the case and required a 20' vegetative Buffer on the south property line with the approval of the request. A motion and second was made for approval of the change in zoning and carried with a unanimous vote. Mr. Fortson then read the Staff Analysis of the application reading each of the 11 Standards for Exercise of Zoning Powers giving compliance of each standard. He also read some sections from the Greater Tift County Comprehensive Plan and referenced the Tift County Future Development Map.

Chairman Thompson asked what type of Road is going in; reply was a 24 foot drive and they have road frontage the entire width of the lot on Carpenter Road.

Commissioner Setter asked Mr. Fortson if the calculations he talked about on number 3 had been checked; reply was they had and will recheck.

Commissioner Hester was concerned about how all the water coming off the hill was going to be handled; reply was that the retention pond would take care of it. Stephen Rakestraw was present; he is the one that designed the lot and the retention pond.

Commissioner Rigdon was concerned about the property values being affected. Mr. Fortson talked about adjacent multi- family dwellings but did not mention the adjacent single family dwellings; reply was discussion of a mobile home on down the road and Mr. Fortson stated he did not feel it would be affected. Commissioner Rigdon asked how he reached that opinion; reply was just from experience, there are apartments all around.

Stephenson Rakestraw then addressed the concerns of the storm water question. He is present in favor of the application so the County Attorney asked that he wait until staff has completed their presentation and speak once the Public Hearing is opened.

Commissioner Stalnaker addressed comments to Sherry Davidson with the Regional Commissioner. He has been approached by Steve Scott and stated that he had talked to Ms. Davidson and she stated that Mr. Fortson's figures were incorrect. Then he was later told that she called back and stated that she did agree with Mr. Fortson. Ms. Davidson stated that based off of the County Ordinance the way Mr. Fortson has calculated it, it is correct. So based off his configuration there will be enough area for greenspace or common space. The drive has not been taken into consideration, it would need to be added in because it will be a drive way.

Commissioner Setters stated we are here to vote on whether or not we are going to allow multi-residential. Ms. Davidson stated, correct, it is a land use decision. Commissioner Setters stated we are not here to approve or pass judgement on the sight plans and Ms. Davidson stated that is correct that would be done at the building stage. This is strictly a land use decision, does multi-residential fit in that area. The Board is here to vote on land use only; it then goes before a technical committee as to how it can be developed.

Commissioner Hester wanted it stated that we (The Commission) have the right to not approve it even though it has been approved by Planning and Zoning. It was stated by the County Attorney and Ms. Davidson that was correct.

The County Attorney opened the Public Hearing and for comments first from those in favor of the request.

Jonathan Garvey 2602 Central Avenue North spoke on behalf of his request stating that this application was given a recommendation of approval from Carl and his staff at the July 14th Zoning Commission meeting and it pass unanimously. None of the facts have changed. By voting unanimously, the Zoning Board agreed with Carl that all 11 Standards for the Exercise of Zoning Powers have been answered in favor of the application request. As Carl stated earlier it is in completed compliance with the Future Development of Tifton and Tift County as described in the 2028 Greater Comprehensive Plan which was adopted by the Commissioner Board in October 2008. He urges the Board to vote in favor of the zoning request based solely on the facts and not political pressure.

Stephen Rakestraw spoke on behalf of the applicant for this request. He state he did the sight plan for the project and he obtained the standards and went by those to draw the sight plan. We have approval for Erosion & Sediment Control which is the land disturbance part of it and it has been looked at the State. It includes storm water design. The technical guidelines require that your design by the Georgia storm water Manual which included 100 year storm in staged events. The design does take in the water coming off the hill north of the property, slowing it down and releasing it in the low area to the south west portion of the property. Commissioner Hester had some questions about the water coming down the hill and Mr. Rakestraw gave the particulars which he is required to from the State Manual. He explained how the water would be discharged.

There were no other comments in favor of the application,

Comments from those opposed:

Richard Hawkins 1604 Westover Road spoke in opposition. He presented a petition with approximately 75 signatures on it. This is not about political pressure; these are simply concerned citizens about their neighborhoods and the property they own. He is not aware that a Traffic Study has been done. Westover Road is a cut through Road off Carpenter Road. With the other new development going on in the area there is going to be a tremendous increase in traffic. He further discussed other traffic for the YMCA and people using Westover as a cut through road. Most people that signed the petition are not against apartments, the major are concerns about the value of their property and traffic flow. It seems that a Traffic Study would be an important part of this issue.

Charlotte Bedell 1710 Sara Drive spoke in opposition and asked the Commission Board to deny this application. Westover Road is a very narrow road and a heavily traveled road. The intersection where Westover comes into Whiddon Mill is a dangerous intersection. She also discussed the issue of the water runoff and is concerned about that. She is real concerned about the ingress and egress into the area, there is only one way in and one way out. There is no room for garbage trucks, ambulance, or fire trucks to turn around. She stated that if the application is

approved then her request would be for the County to upgrade this road, it will need to be widened and make available sidewalks for the children to walk on. If this is approved it will be the only County multi-residential property in this area and that is spot zoning. It would appear that the other multi residential neighborhoods in the area are County, however, they are not; they are all in the City. Please think about this as you make your decision.

Steve Scott 4347 GA Hwy 125, spoke on behalf of his parents, L.A. and Emily Scott who live at 1402 Westover Road. They have lived there for 60 years. He recapped some of the things Ms. Bedell stated. He has been in the Comprehensive Plan and Construction Manuals for some 2 weeks now. One question was asked here tonight how something was derived from and it was stated: experience. Is that what we want to go on or do we want to work on facts. We need a Traffic Study and a Density Study. He understands this property is going to be utilized by college students; it is going to be rental property which will not allow for enough of parking spaces. He talked about the water runoff and is concerned about it. The Comp Plan and the Building Codes, whatever is used for rezoning purposes has got to work together. The Zoning Regulation has a purpose statement. It sets the criteria for these decision to be made, it has got to be used together to make the decisions. He wanted to make clear that nobody here tonight is against progress, there is nobody here that doesn't want this piece of land on the Westover Road developed with houses but we are here against multi-family residential because with that you have an island being formed by allowing it to go in and going against the Comp Plan. We would like to see it developed along with everything else that is there. Westover Road is a neighborhood and the neighborhood does not want it. He believes this really needs to be looked a further. The decision that could possibly be made tonight is reflecting your legacy, my legacy and the legacy of Tift County.

Lester Potts 406 Bowen Marchant Road spoke in opposition. Two large properties are there in the area so there is a lot of potential for development out there. Mr. Garvey is developing his property for personal gain and there is nothing wrong with that but I want to be able to do the same because I want to get as much value as I can for my property if I want to sell my house. If we allow multi-family residential to start creeping in we will decrease the value of the existing property there. We would like to maintain the County integrity of having residential neighborhoods where you can raise children and not have to worry about heavy traffic which we already do to some extent because Bowen Marchant Road is another cut off road between Whiddon Mill and King Road. Westover Road is a very narrow road and it will be necessary to widen this road if this zoning passes. Please reconsider this.

Salone Green, Pastor at Carpenter Road Church spoke in opposition. This is not a personal attack on Mr. Garvey. He talked at lengths about the water issue and gave the history of the issues the church has encountered. They have had to spend thousands of church money to try to handle the water. They built the same thing that is being proposed for this development and it did not work. The primary issue is the water runoff and would like the Board to consider his comments and concerns in the decision making.

Robert Miles 1706 Melba Drive spoke in opposition. Pretty much everything that needs to be said has been said here tonight. First we are talking about putting 22 families on less than 2 acres; to put that many families in the small of an area is too crowded not to mention all the cars in the area. It is going to affect other property values. If you don't believe me, then he encouraged the Commissioners to go down to 8th Street, across from the High School and talk to those people that have been there for 30 to 40 years and ask them what the value of their property is verses 2 years ago.

Bobby Kirkland, Tift West Subdivision spoke in opposition. He has seen the water out there go from a trickle to almost a flood coming through there. The more you keep building, the more concrete you deep pouring; the water is going to have to go somewhere. With the ingress and egress concerns it is going to basically eat up all the green space. It is just too many families in that small of space. It is a bad intersection and it is very dangerous.

Jane Willis 1701 Melba Drive spoke in opposition. I am one road over from Whiddon Mill Road. She teaches and she is very concerned about the traffic in the area already. People already cut through their neighborhood to try to avoid the traffic. This will decrease the value of existing property. Her question to the Commission is – Would you want apartment complexes on either side of your property? I am not opposed to progress but not this type of development in this area.

Tom Hendrix 1812 Whidden Mill Road spoke in opposition. His main concern is with this request is the traffic.

There were no other comments.

The County Attorney the called attention to the Standards of Exercise of Zoning Powers postings. He called attention also to the Conflict of Interest Statement and asked at this time if any Board member has any kind of financial interest in the property that is seeking to be rezoned before them tonight. No one declared a Conflict of Interest.

Motion was made by Commissioner Setters to approve TC-ZA-16-04rezoning applications seconded by Commissioner Stalnaker. The motion failed by a 2 to 4 vote. Commissioners Setters and Stalnaker voted for the motion. Chairman Thompson, Vice Chairman Hughes, Commissioners Hester and Rigdon voted against.

CONSENT AGENDA:

There was a request from Commissioner Stalnaker to remove Item F from the Consent Agenda and move to the Regular Agenda. Motion was mad by Commissioner Setters to remove Item F from the Consent Agenda, seconded by Vice Chairman Hughes. Motion carried unanimously.

E. Motion approving the renewal of the Maintenance Contract with Johnson Controls for the chiller unit at Magnolia Commons

G. Motion approving the renewal of the Motorola Solutions Service Agreement for the Land Mobile Radio System in the amount of \$23,207

H. Motion authorizing the Chairman to endorse the Statewide Mutual Aid and Assistance Agreement

I. Motion ratifying the issuing of Beer and Wine License for Sunny Food Mart

L. Motion approving the Letter of Intent for AMB Building Solutions

Motion to approve the Consent Agenda of Items E, G, H, I & L was made by Commissioner Rigdon, seconded by Vice Chairman Hughes. Motion carried unanimously.

REGULAR AGENDA:

B. Side Arm Mowing Tractors: Jason Jordan presented the item at Workshop and was present for any further discussion from the Board. Funding has been allotted in the budget; the tractor has a 5 year warranty and will be under a 5 year replacement plan. Motion was made by Commissioner Setters to purchase a side arm mower from AIM TRAC Case in the bid amount of \$121,000, seconded by Commissioner Stalnaker. Motion carried unanimously.

C. Purpose Built Side Arm Mower: Jason Jordan presented the item at the Workshop and was present for any further discussion from the Board. Funding has been allotted in the budget and the purpose built side arm mower will have a 5 year warranty. Motion was made by Commissioner Stalnaker to purchase the Purpose Built Side Arm Mower from Reynolds-Warren Equipment Company in the amount of \$136,900, seconded by Vice Chairman Hughes. Motion carried unanimously.

D. Recommendation of 2017 LMIG Project: Jason Jordan gave the staff recommendation for the 2017 LMIG Project as follows: Jr. Wynn Road, 2.2 miles; Bellflower Road 2.5 miles; Walker Mt. Olive Road 2.7 miles; Ty Ty Sparks (South Section) 4.5 miles; and patch a few areas on Brighton, Old Ocilla and Ferry Lake Roads. Motion was made by Commissioner Stalnaker to approve the Staff recommendation for the resurfacing 2017 LMIG Project, seconded by Commissioner Setters. Motion carried unanimously.

F. Surplus designated Fire/Rescue Vehicles: Jason Jones gave the explanation at the Workshop Session and was present for any further discussion from the Board. After some discussion of the surplus of the vehicles and equipment, the Board decided to take the following

action on the list presented: Motion was made by Commissioner Setters to surplus Items B, C, D, and F, seconded by Commissioner Hester. Motion carried unanimously. Those items consist of: 1995 International –VIN 6471; 1997 Chevrolet-VIN 0216; 1997 Chevrolet-Vin 0291, and 2001 International-VIN 3880.

The County will keep in inventory Items A, E & G listed as: 1998 Chevrolet Suburban-VIN 0170; 1999 Ford Crown Vic- VIN 0015 and Hurst Hydraulic Tool Set.

J. Hospital Authority Appointments: There are four (4) appointments that terms will expire in September 2016. Names have been submitted by the Hospital Authority: The Chairman opened the floor for nominations for seat one. Commissioner Hester nominated John Browlee, no other nominations from the floor and the Chairman closed the process. Motion was made by Commissioner Hester to appoint John Browlee, seconded by Commissioner Setters. Motion carried unanimously.

The Chairman opened the floor for nominations for seat two. Commissioner Hester nominated Sm Sims, no other nominations from the floor and the Chairman closed the process. Motion was made by Commissioner Hester to appoint Sam Sims, seconded by Commissioner Rigdon. Motion carried unanimously.

The Chairman opened the floor for nominations for seat three. Commissioner Hester nominated Wasdon Graydon, no other nominations from the floor and the Chairman closed the process. Motion was made by Commissioner Hester to appoint Wasdon Graydon, seconded by Vice Chairman Hughes. Motion carried unanimously.

The Chairman opened the floor for nominations for seat four. Commissioner Hester nominated William Bowen, no other nominations form the floor and the Chairman closed the process. Motion was made by Commissioner Hester to appoint William Bowen, seconded by Commissioner Rigdon. Motion carried unanimously.

K. Development Authority Appointments: There are two members whose terms expired on July 20, 2016, Homer Day and Jay Short.

The Chairman opened the floor for nominations for the seat held by Homer Day. Commissioner Hester nominated Homer Day; no other nominations from the floor and the Chairman closed the process. Motion was made by Commissioner Hester to reappoint Homer Day to the Statutory Development Authority, seconded by Vice Chairman Hughes. Motion carried unanimously.

The Chairman opened the floor for nominations for the seat held by Jay Short. Commissioner Hester nominated Jay Short; no other nominations from the floor and the Chairman closed the process. Motion was made by Commissioner Hester to appoint Jay Short to the Statutory Development Authority, seconded by Vice Chairman Hughes. Motion carried unanimously.

County Managers Comments: Mr. Carter called for an Executive Session for Legal.

Commissioners Comments:

Executive Session: Motion to go into Executive Session for the purpose of Legal was made by Commissioner Rigdon, seconded by Vice Chairman Hughes. Motion carried unanimously.

Motion to close Executive Session was made by Commissioner Hester, seconded by Commissioner Rigdon. Motion carried unanimously.

Motion to adjourn was made by Commissioner Setters, seconded by Vice Chairman Hughes, Motion carried unanimously.

Chairman Grady Thompson, District 7

Vice Chairman Melissa Hughes, District 2

Commissioner Donnie Hester, District 1

Commissioner Robert Setters, District 3

Commissioner Stan Stalaker, Dist. 4

_____ absent _____
Commissioner Greg Wood, District 6

Commissioner F. W. (Buck) Rigdon, District 5

Attest: _____
Glynda Hemby, County Clerk
8/8/2016