

LOWNDES COUNTY BOARD OF COMMISSIONERS  
MINUTES  
WORK SESSION  
Thursday, June 16, 2022, 8:30 AM

COMMISSIONERS PRESENT

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

Chairman Bill Slaughter called the meeting to order at 8:30 a.m.

**MINUTES**

The minutes were presented for the work session of May 23, 2022, the budget work session of May 23, 2022 and the regular session of May 24, 2022. No changes to the minutes were requested.

**APPOINTMENT**

**Southwest Georgia Region 8 Emergency Medical Services Council**, County Manager, Paige Dukes, presented the appointment. Mrs. Dukes stated Mr. David Bauch was the representative for Lowndes County and since he has retired, Ms. Emily Brown has been recommended for consideration.

**PUBLIC HEARINGS**

**REZ-2022-09 Flannigan, James Rd. R-1 to C-G, Water/Sewer ~7.8 acres**, Planning and Zoning Director, J.D. Dillard presented the item. Mr. Dillard stated this request represents a change in zoning on the subject property from Low Density Residential (R-1) zoning to General Commercial (C-G) zoning. Mr. Dillard stated the applicant is asking to table this request for 60 days until the commission meeting of August 9, 2022. Mr. Dillard stated the Planning Commission recommended denial, since the specific use was not identified. Vice Chairman Orenstein asked who was requesting the item to be tabled, Mr. Dillard stated the applicant. Vice Chairman Orenstein stated if the applicant is trying to provide additional information for the property owners, he's fine with tabling this item.

**REZ-2022-10 The Campus Transitional Care Facility, 2193 Howell Rd, E-A to P-D, Well & Septic ~23 acres**, Planning and Zoning Director, J.D. Dillard presented the item. Mr. Dillard stated the applicant would like to change the zoning on approximately 23 acres for the development of a Transitional Care Facility. Mr. Dillard stated this is a non-residential P-D request. This potential facility is not currently licensed for substance abuse recovery assistance and potentially is aimed at housing. Mr. Dillard stated there are some wetlands on the northern part of the property. Mr. Dillard stated in looking at the site plan there are six houses which would be occupied by five residents and one resident per cabin. Mr. Dillard stated there have been approximately 450 signatures submitted

opposed to this rezoning. Mr. Dillard stated the Planning Commission recommends denial by 7-3 vote. Chairman Slaughter asked regarding the property to the right of the driveway going into the development, is that house a portion of the property, Mr. Dillard answered no. Mr. Dillard stated that the property owner did speak at the Planning Commission meeting and is in opposition to this request, but asked if approved, could a fence be installed.

**REZ-2022-11 Makesh, LLC, 900 Lakes Blvd, C-G, County Utilities, 1.07 acres,** Planning and Zoning Director, J.D. Dillard, presented the item. Mr. Dillard stated this is a C-G zoned with conditions approved from 2014. The applicant is requesting to remain C-G zoning but to remove four conditions. Mr. Dillard stated the conditions being requested to be removed are listed below: #4 (landscaped berm on the eastern and a portion of the southern property line), #8 (architectural design), #9 (dumpster locations), and #11 (light pollution) in order to develop the site as a Dairy Queen. Mr. Dillard stated the Planning Commission recommends approval with a 5-4-1 vote. Mr. Dillard stated the applicant's representation has met with the property owners on the property and the current owner of the Francis Lake Golf Course is proposing additional buffering on the south property line. Mr. Dillard stated petitions of support and opposition for this case have not been received yet. Vice Chairman Orenstein asked to verify that four conditions are being asked to be removed, Mr. Dillard responded yes and those four items were reviewed again, per Vice Chairman Orenstein's request. Commissioner Wisenbaker asked if the berm would be replaced with fencing so no headlights would penetrate, Mr. Dillard responded yes as well as shrubbery being added.

**REZ-2022-12 Pittman, Phelps, Leonard, Moss Oak Trail, R-10 to C-G, County Utilities, ~1.63 acres,** Planning and Zoning Director, J.D. Dillard, presented the request, stating it was withdrawn by the applicant on June 8, 2022.

## **FOR CONSIDERATION**

**Lowndes County Accountability Court Grant Approval and Cash Match,** Superior Court Accountability Court Administrator, Jennifer Fabbri, presented a request in the amount of \$26,147.00, for the county's required match related to the grant that operates the accountability court programs. Mrs. Fabbri stated there is a twelve percent cash match instead of a ten percent as requested last year. Additionally, Mrs. Fabbri mentioned that to date, there have been 51 graduates.

**Lowndes County Juvenile Accountability Court (LCJAC) FY23 Budget & Grant Award,** Court Coordinator for the Juvenile Accountability Court, Geoffrey Martin, presented a request in the amount of \$11,940.00 for the county's required match related to the grant that operates the Juvenile Accountability Court programs.

**Annual Contract Renewal with the State of Georgia Department of Corrections,** County Manager, Paige Dukes, stated Mrs. Robin Cumbus was not in attendance due to her aunt's passing; a former Lowndes County Sheriff's Office Employee, Captain Mary Alice Dowdy who worked 35 years with the County. Mrs. Dukes presented the annual contract renewal between Lowndes County and the Georgia Department of Corrections in the amount of \$147,954.00, for three prison work details. Mrs. Dukes stated two of the details would be used for the Public Works Department and one would be used for the Engineering Department.

**American Rescue Plan Funding for Utilities Repairs with Carter & Sloope Engineering,** Utilities Director, Steve Stalvey, presented the item. Mr. Stalvey stated this item is for the engineering agreements with Carter & Sloope Engineering for the American Rescue Plan Funding. Mr. Stalvey stated the projects covered include phase I and II of the South Lowndes LAS expansion, the Val-Del watermain extension and the permanent bypass pumps on the trunk line lift stations. The total cost for the projects is \$1,220,000.00.

**Reports - County Manager**

County Manager, Paige Dukes, informed the Commission the budget books are available in your offices and the Budget Public Hearing begins at 5:00 p.m. this afternoon.

**ADJOURNMENT**

Commissioner Orenstein made a motion to adjourn the meeting, Commissioner Marshall second. Chairman Slaughter adjourned the work session at 8:52 a.m.

LOWNDES COUNTY BOARD OF COMMISSIONERS  
MINUTES  
REGULAR SESSION  
Thursday, June 16, 2022 - 5:30 PM

COMMISSIONERS PRESENT

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

Vice Chairman Orenstein was not in attendance.

Chairman Bill Slaughter called the meeting to order at 5:30 p.m.

**INVOCATION**

Commissioner Griner

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Commissioner Griner

**PROCLAMATION PRESENTATION TO MS. DEBRA TANN - REMINISCENT (Regular Session),**

Chairman Slaughter and the Commission presented Ms. Debra Tann a framed proclamation and recognized her for her efforts with this Dementia initiative.

**MINUTES**

The minutes were presented for the work session of May 23, 2022, the budget work session of May 23, 2022 and the regular session of May 24, 2022. Commissioner Evans made a motion to approve the minutes as presented, Commissioner Griner second. All voted in favor, no one opposed. Motion carried.

**APPOINTMENT**

**Southwest Georgia Region 8 Emergency Medical Services Council**, County Manager, Paige Dukes, presented the appointment. Mrs. Dukes stated Mr. David Bauch was the representative for Lowndes County and since he has retired, Ms. Emily Brown has been recommended for consideration. Chairman Slaughter nominated Ms. Emily Brown for appointment. There being no other nominations, Ms. Brown was appointed by acclamation.

## **PUBLIC HEARING**

**REZ-2022-09 Flannigan, James Rd. R-1 to C-G, Water/Sewer ~7.8 acres**, Planning and Zoning Director, J.D. Dillard presented the item. Mr. Dillard stated this request represents a change in zoning on the subject property from Low Density Residential (R-1) zoning to General Commercial (C-G) zoning. Mr. Dillard stated the applicant is asking to table this request for 60 days until the commission meeting of August 9, 2022. Commissioner Wisenbaker made a motion to table this item until the August 9, 2022 commission meeting, Commissioners Evans and Griner second. All voted in favor, no one opposed. Motion carried.

**REZ-2022-10 The Campus Transitional Care Facility, 2193 Howell Rd, E-A to P-D, Well & Septic ~23 acres**, Planning and Zoning Director, J.D. Dillard presented the item. Mr. Dillard stated this request is to rezone approximately 23 acres from E-A to a non-residential Planned Development (P-D) for a Transitional Care Facility to be developed. Mr. Dillard stated this potential facility is not currently licensed for substance abuse recovery, and support counselors may visit the site but ongoing treatment would be performed off site. Mr. Dillard stated the applicant is planning on developing the property in phases with a maximum of five residents per house and one resident per cabin. The Planning Commission heard the request and concerns of the neighbors submitting petitions with approximately 450 signatures opposed. The Planning Commission recommended denial by a 7-3 vote. Michael Henderson, 2581 Howell Road, spoke against the request. Mr. Henderson stated he is speaking on behalf of the residents of Howell Road. Mr. Henderson stated the residents are not against reform or transformation of any individual in need of treatment. Mr. Henderson mentioned that he has been clean and sober since 2003. Mr. Henderson stated the community is not against the idea of recovery, but against the idea that lacks the proper structure in detail to make recovery successful. Mr. Henderson stated this facility is not being regulated, licensed, certified or governed by any local, state or federal agency. Mark Perry, no address given, spoke in favor of the request on behalf of Redeemed Living and the applicant. Mr. Perry stated Redeemed Living is an organization designed to offer a structured, faith based, sober living facility. Mr. Perry stated Redeemed Living is a registered non-profit organization which is locally organized and operated and has been located in Lowndes County for six years. Mr. Perry stated the proposed campus is a long term project, ten year build out, with a three million dollar infrastructure proposed. Casey Corbin, 2436 Meadowbrook Drive, spoke in favor of the request as a member of the board with Redeemed Living. Mr. Corbin stated he is a certified substance abuse counselor who has worked in the area for the last twenty-five years. Mr. Corbin asked to clarify the opposing comments previously mentioned. No one program works, it's a continuation of care. Redeemed Living is a continuation of care facility not a halfway house or treatment program. It's not regulated because it doesn't have to be; there is no treatment given. Further, Mr. Corbin stated background checks are done and no inmates would be taken in to this facility. Brent Moore, 3850 C L Moore Road, spoke in favor of the request as the applicant and owner of Redeemed Living. Mr. Moore stated Redeemed Living has been in operation for six years, with no neighbor complaints or issues. Mr. Moore stated the men in their program could live anywhere in the community. Mr. Moore stated the house currently located on the property could be used with no rezoning involved. Mr. Moore stated he wanted to address any concerns. Mr. Moore stated there would not be anyone in the facility with violent or sexually related charges. Commissioner Wisenbaker asked Mr. Moore if he would be willing to put up a privacy fence between the facility and the houses to the east, Mr. Moore responded yes. Additionally, Mr. Moore stated he heard the concerns of Mr. McDougal at the Planning Commission meeting and his property would not be negatively impacted as

far as drainage. Mr. Moore mentioned Ms. Canada's concern regarding a privacy fence which would be installed on her entire property line, with no charge to her. Commissioner Marshall asked if not approved, would you build houses instead, Mr. Moore responded that there is currently a house on the property and that house could be used. Chairman Slaughter stated there is a house on the property and there is nothing to prevent these men from living in the house currently on the property. Commissioner Evans made a motion to follow the recommendation of the Planning Commission and deny the rezoning request as presented, Commissioner Marshall second. Commissioners Wisenbaker and Griner opposed. Chairman Slaughter stated there is a need in our community and all communities for the proposed facility in order to help people. This ministry is important to get through recovery and Chairman Slaughter voted in favor of the request in the absence of Commissioner Orenstein. Chairman Slaughter stated to Mr. Moore that Lowndes County will be watching this facility very closely. Commissioner Griner made a motion to approve the request with the condition of the privacy fencing being installed and maintained along the common property line of the property of Sandra Lee Canada and with the condition that drainage shall not negatively impact adjoining properties, Commissioner Wisenbaker second. Commissioners Evans and Marshall opposed and Chairman Slaughter voted to approve the request, in the absence of Commissioner Orenstein. Motion carried.

**REZ-2022-11 Makesh, LLC, 900 Lakes Blvd, C-G, County Utilities, 1.07 acres,**

Planning and Zoning Director, J.D. Dillard, presented the item. Mr. Dillard stated this is a previously approved commercial general zoning with eleven (11) conditions from 2014. Mr. Dillard stated the subject property is within the Urban Service Area and depicted as Established Residential on the Future Development Map. Mr. Dillard stated there were no wetlands on the property and the proposed location is for a development of a Dairy Queen. Mr. Dillard stated the conditions being requested to be removed by the applicant are #4 (landscaped berm on the eastern and a portion of the southern property line), #8 (architectural design), #9 (dumpster locations), and #11 (light pollution) in order to develop the site as a Dairy Queen. Mr. Dillard stated the Planning Commission recommended approval with the four conditions (#4, #8, #9 and #11) being removed by a 54-1 vote. Cheryl Oliver, 5366 Moss Oak Trail, spoke against the request. Mrs. Oliver stated the eleven conditions were designed to protect the neighborhood and Francis Lake. Mrs. Oliver stated the signatures submitted on the petitions are from property owners inside the Francis Lake neighborhood and the Hammock Lake area. Mrs. Oliver stated a meeting with Mr. Langdale and Mr. Patel heard concerns regarding light pollution, noise pollution, water and debris runoff, dumpster odor, litter containment, increased traffic congestion, and visual impact. Mrs. Oliver requested an eight feet high fence with well maintained shrubs to block the dumpster and headlights. Mrs. Oliver asked with the same request to protect quality of life, property values, neighborhood integrity, wildlife and preserve valued natural resources. Jack Langdale, 701 North Patterson Street, spoke for the request on behalf of the applicant. Mr. Langdale stated the applicant has purchased the property in order to construct a Dairy Queen. Mr. Langdale stated the issues regarding the rezoning are the conditions on the property. Mr. Langdale stated condition #4 requirement is to construct a sixty foot wide berm on the east side of the property. Mr. Langdale stated the entire tract is only one hundred sixty feet wide. Mr. Langdale addressed condition #8 regarding masonry siding; Mr. Langdale stated the Dairy Queen is a franchise and the request to remove cannot be approved. Mr. Langdale stated regarding condition #9 the dumpster location cannot be located within 200 feet of property line, since the lot is only one hundred sixty feet wide, that cannot be done. Mr. Langdale addressed condition #11 light pollution, stating that regarding the lighting, it's a downward pointed LED, which should light an area of 5-10 feet around the base. Commissioner Griner asked regarding the dumpster on the east, could it be moved to the west,

Mr. Langdale responded because of flow of traffic and the dumpster being emptied three times a week, the franchise would not agree with moving the location. Commissioner Griner asked how far on the eastern side will the fence go up, Mr. Langdale answered it will go down to the property line. Commissioner Wisenbaker asked regarding the lighting around the perimeter of the property, Mr. Langdale responded the lighting is aiming down toward the middle of the property. Commissioner Marshall asked Mr. Dillard if any development or store could be constructed there in the future, based on these conditions, Mr. Dillard stated with the current conditions, it would limit development. Commissioner Griner made a motion to approve the request to remove the four conditions and with the revised conditions as follows: #8 An eight (8) foot high opaque fence shall be installed and maintained approximately along either side of the rear and side property lines in the locations depicted on the Proposed Dairy Queen Rezoning Exhibit prepared by Innovate Engineering and Surveying dated June 17, 2022, a copy of which is maintained in the Lowndes County Planning Office, #9 A landscaping buffer shall be installed and maintained along the rear and side property lines in the locations depicted on said Rezoning Exhibit; and #10 Outside lights located on the perimeter of the parking lot depicted on said Rezoning Exhibit shall be oriented downward, Commissioner Wisenbaker second. All voted in favor, no one opposed. Motion carried.

**REZ-2022-12 Pittman, Phelps, Leonard, Moss Oak Trail, R-10 to C-G, County Utilities, ~1.63 acres**, Planning and Zoning Director, J.D. Dillard, informed the Commission the request had been withdrawn by the applicant on June 8, 2022.

#### **FOR CONSIDERATION**

**Lowndes County Accountability Court Grant Approval and Cash Match**, Chairman Slaughter presented the item, stating the Commission heard from Superior Court Accountability Court Administrator, Jennifer Fabbri, during the work session. Commissioner Evans made a motion to approve acceptance of the grant and the required match of \$26,147.00, Commissioners Griner and Wisenbaker second. All voted in favor, no one opposed. Motion carried.

**Lowndes County Juvenile Accountability Court (LCJAC) FY23 Budget & Grant Award**, Chairman Slaughter presented the item, stating the Commission heard from Court Coordinator for the Juvenile Accountability Court, Geoffrey Martin, during the work session. Commissioner Griner made a motion to approve acceptance of the grant and the required match of \$11,940.00, Commissioner Wisenbaker second. All voted in favor, no one opposed. Motion carried.

**Annual Contract Renewal with the State of Georgia Department of Corrections**, County Manager, Paige Dukes, presented the annual contract renewal between Lowndes County and the Georgia Department of Corrections in the amount of \$147,954.00, for three prison work details. Mrs. Dukes stated two of the details would be used for the Public Works Department and one would be used for the Engineering Department. Mrs. Dukes stated the funds would be expended only if the prison details were used. Commissioner Wisenbaker made a motion to approve the contract as presented, Commissioner Griner second. All voted in favor, no one opposed. Motion carried.

**American Rescue Plan Funding for Utilities Repairs with Carter & Sloope Engineering**, Utilities Director, Steve Stalvey, presented the item. Mr. Stalvey stated this item is for the engineering agreements with Carter & Sloope Engineering for the American Rescue Plan Funding. Mr. Stalvey stated the projects covered include phase I and II of the South Lowndes LAS expansion, the Val-Del watermain extension and the permanent bypass pumps on the trunk line lift stations. The total cost for the projects is \$1,220,000.00. 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.

#### **REPORTS - County Manager**

County Manager, Paige Dukes, updated the Commission on the fuel costs with the last update being May 24th, the unleaded was \$3.58 and the diesel was \$4.36, currently, the cost is \$4.26 for unleaded and \$5.19 for diesel. Mrs. Dukes stated Lowndes County hosted Leadership Lowndes today for Public Safety Day and Mrs. Barwick has been with the group all day. Mrs. Dukes mentioned the offices will be closed Monday, June 20, 2022, for the Juneteenth holiday. Mrs. Dukes stated cooling shelters may be opened due to the extremely high temperatures. Lastly, Mrs. Dukes stated we have partnered with Pepsi and they will be providing a cooler in the lobby of the judicial building with free bottled waters for citizens during the summer months. Mrs. Dukes thanked the Commission for their leadership.

**CITIZENS WISHING TO BE HEARD** - There were no citizens wishing to be heard.

#### **ADJOURNMENT**

Commissioner Wisenbaker made a motion to adjourn the meeting, Commissioner Griner second. Chairman Slaughter adjourned the regular session at 6:33 p.m.