

MINUTES
MERIWETHER COUNTY BOARD OF COMMISSIONERS
April 26, 2022

This meeting was held in person and also by Zoom due to COVID-19

Commissioners Present: Chairman Beth Neely-Hadley, Vice Chairman Bryan Threadgill, Commissioner Shirley Hines, Commissioner Rosla Plant and Commissioner Alfred "Buster" McCoy

Commissioners Absent:

Staff Present: County Administrator Michelle Irizarry, Finance Director Bill Gregory, Director of Special Projects, Theron Gay, Deputy Clerk Allyson Stephens, and County Attorney Michael Hill

Staff Absent: County Clerk Beverly Thomas

I. CALL TO ORDER – Chairman Beth Neely-Hadley called the meeting to order at 6:00 p.m.

II. INVOCATION – Commissioner Alfred "Buster" McCoy

III. PLEDGE OF ALLEGIANCE – All

IV. ADOPT AGENDA

Motion was made by Vice Chairman Bryan Threadgill and seconded by Alfred McCoy to adopt the Agenda with the following changes: Remove under Unfinished Business number 2. Confirm purchase of single axle dump truck from last meeting. *Also move #1 Proclamation for Vic Dowis and # 2 NFP Insurance Proposal for 2022-2023 under New Business before Public Hearings.* All were in favor.

V. REPORT FROM FINANCE DIRECTOR

Finance Director Bill Gregory stated the General Fund was strong at 5.5 million and all other accounts are in really good shape. Director Gregory stated the Fire District, O&M, and Fire Bond were in good shape as well as the various SPLOST and TSPLOST accounts.

IV. CITIZEN COMMENT

Nicholas Iaria of 1810 Trammel Bottom Road, Greenville stated that he would like to discuss the paving of Forrest Road or lack of it. Mr. Iaria stated that two years prior the road was paved from Hwy 100 to Montgomery Road and that section is in good shape. Mr. Iaria stated the area past Montgomery Road to Highway 54 is a death trap for tires. Mr. Iaria stated several friends have lost tires and people have been given tickets for swerving to miss potholes and crossing over the yellow line. Mr. Iaria stated that on the section of road from Trammel Bottom to Highway 54 there is no way to drive on the road without tearing up something or slowing down to 10-15 miles per hour. Mr. Iaria states the road is an absolute mess. Mr. Iaria stated it was explained to him from a retired County Official that from Montgomery Road to Highway 54 the residents have a Hogansville address. Mr. Iaria asked if the taxes from these addresses are being sent to Troup County, or Hogansville. Mr. Iaria stated that the residents live in Meriwether County. He stated he was assured that the taxes were being disbursed to Greenville and going to Meriwether County. Mr. Iaria's question is when will something be done about Forrest Road. He encouraged the commissioners to take a ride out Forrest Road. He also stated on both ends of Forrest Road are No Thru Truck signs and would like to see the Sheriff's Office and D.O.T. work together to write tickets as sand trucks are coming from Junction City down Hwy 100 and turning on Forrest Road.

VII. MINUTES

Motion was made by Commissioner McCoy and seconded by Commissioner Plant to approve the Minutes of the April 13, 2022, 9:00 a.m. Meeting. All were in favor. *Agenda amended to move #1 and # 2 under New Business to follow the Minutes*

1. Proclamation – Vic Dowis

A proclamation was read by Chairman Neely-Hadley recognizing Vic Dowis on his retirement after 33 years of service with the Manchester-Meriwether County Recreation Department. Mr. Dowis was in attendance with his wife and the proclamation was presented to him with best wishes on his future endeavors.

2. NFP Insurance Proposal for 2022-2023

Tammy Starkey, Senior Vice President with NFP presented the upcoming insurance renewal proposal for 2022-2023. Ms. Starkey presented a market analysis to the Board with proposals from Aetna, Anthem, Humana, and United Healthcare. She explained that in regard to medical coverage Aetna proposed a 39.9% increase, Anthem proposed a 13% increase, Humana proposed a 27.6% increase, the renewal with United Health the current carrier with a 16.1% increase, and Cigna declined a quote. Ms. Starkey showed a presentation explaining the current total premium with a 16% increase with the current carrier, United Healthcare would be \$209,816. Ms. Starkey explained that there has been improved experience on the current plan, however we are still at a 91% loss ratio and the companies typically liked to see that at 75 to 80 percent. One driving factor in exploring the market was the removal of WellStar from the United Healthcare network effective February last year. According to Ms. Starkey there is no indication when WellStar will be back in network and as a result NFP is proposing Anthem due to their robust network and includes WellStar and is a savings over the United Healthcare renewal. The Anthem package includes all ancillary lines of coverage and was a 13% increase for a total of \$168,000. Tammy stated this does include the package discount of 4% which is about \$60,000 on the medical premium. Mrs. Starkey stated that with the Anthem proposal, it would put Meriwether County back in the ACCG pool with at least 90 other counties that participate, and Anthem is very invested in the counties. Ms. Starkey stated for underwriting purposes Meriwether County will be pooled with the other counties that participate in this fully insured risk pool. Ms. Starkey stated that if there is a bad year not all risks count as the risks are pooled with other counties. According to the history, per Ms. Starkey the last time the County was with Anthem was in 2017. Meriwether County then moved to Cigna July 1, 2018. Ms. Starkey stated that there is a 4% discount to the medical premiums or about \$60,000. The Anthem dental proposal is a 6.9% savings over current costs with a strong network. Ms. Starkey stated there was no increase for vision, basic life, or voluntary life and Anthem is offering a one-time enrollment to add coverage without any health questions. Ms. Starkey stated that any employee not participating can add \$10,000 in coverage or \$5,000 for their spouse this year without having to ask. Ms. Starkey also said with the proposal there would be no increase in short- or long-term disability. Ms. Starkey also stated that Anthem consolidates all services, billing and there would only be one I.D. card instead of separate for each service. Vice Chairman Threadgill stated that when we renewed last year, WellStar was in the network, then came off in January. Vice Chairman Threadgill asked what NFP was doing to ensure that doesn't happen again with Anthem. Ms. Starkey stated that with United Healthcare this came as a surprise as they were already in a deal and backed out of the contract within their 90-day period. Ms. Starkey stated this was not the case with Anthem as they are not in a position where they could back out. Ms. Starkey also stated that because Anthem is local and provides state benefits, there is a push from the state to ensure that they do not back out. Chairman Neely-Hadley explained that a lot of our employees that rely on the WellStar doctors in LaGrange were hurt by the decision of United Healthcare and WellStar. Commissioner Hines asked if this was a decision that had to be made at the meeting tonight. Commissioner Hines stated this was a lot of information and with the issue with United Healthcare we want to make sure we do our due diligence for the purpose of the employees. Tammy Starkey explained that the decision being made tonight would drive the open enrollment communication as well as the website that is built for open enrollment. Human Resources Director, Valerie Chambers stated that Open Enrollment was set for the third week of May. Ms. Starkey explained the reasoning is to make sure that I.D. cards are on time and there is no disruption in service as coverage will take effect July 1, 2022. Chairman Neely-Hadley asked if there could be a decision made on this at the first meeting in May. Ms. Starkey stated this would push open enrollment. Vice Chairman Threadgill stated that he would still like to do this the first meeting in

May as this was a lot of information and more discussion was needed. Finance Director, Bill Gregory stated that this could be problematic as deductions must be taken out of the first pay period in June in order for the coverage to be effective July 1, 2022. Vice Chairman Threadgill asked why this would be a problem to push the decision to May 11, 2022. Ms. Starkey stated that it was a four-week lead time to build the website and materials for open enrollment and get the information to the carriers. Vice Chairman Threadgill asked that next time information be presented 4 weeks prior. Ms. Starkey stated that they do present to the Board as soon as they can as the renewals typically don't come in until mid-April and then they have to go back and negotiate and speak with Human Resources and the Administration. Mr. Gregory, Finance Director stated that the first payroll in June would be June 9, 2022, and this gives them a few more days. Chairman Neely-Hadley asked if we could make it work moving the decision to May 11, 2022. Ms. Starkey and Mr. Gregory stated they could make it work. A motion was made by Commissioner McCoy and seconded by Commissioner Hines to table the decision for the 2022-2023 insurance renewal until May 11, 2022, 9:00 a.m. meeting. All were in favor.

VIII. PUBLIC HEARING

Case# 2022-001 – Carmen Diamond is requesting rezoning and modification of current zoning conditions on an 8.29-acre tract identified as Tax map #70 009, 26353 Roosevelt Highway, Luthersville, GA. The purpose of the rezoning is to request modification of zoning conditions placed on the property in 2017, relating to the number of dogs and litters of puppies allowed.

A motion was made by Vice Chairman Threadgill and seconded by Commissioner Hines to go into Public Hearing at 6:26 p.m. All were in favor.

Special Projects Director, Theron Gay introduced Tammy Pike-Camp and Ricky Hamlin from the Community Development Department. Mr. Gay stated that Case# 2022-001 was Carmen Diamond of 26353 Roosevelt Highway requesting modifications from a previous rezoning on June 27, 2017, which rezoned the property from RD to LDR allowing a special use for hobby breeding. Mr. Gay explained the previous zoning from RD to LDR allowed the special use of hobby breeding and allowed 10 adult dogs and 2 litters of puppies per year. Ms. Diamond is now requesting that to have 25 adult dogs at this time and consider an adult dog 12 months and older and also allow an unlimited number of litters of puppies per year. Mr. Gay stated that this request was sent out to various departments. Mr. Gay stated Animal Control expressed concerns about the number of animals. Mr. Gay stated the Sheriff stated this was outside his area of responsibility. Mr. Gay stated Code Enforcement stated the number of animals seemed high as did E-911. Mr. Gay stated that in review of the request the department also looked at the standards for the exercising of zoning power. He stated the subject property is suitable for the requested use if conditions are in place to look at the size and activities of the site. Mr. Gay stated that the department does not think that property value is diminished because this is actually a residential property with a special use. Mr. Gay stated that surrounding properties are primarily residential. Mr. Gay stated that allowing 25 adult dogs, unlimited litters of puppies, and adult dogs being classified as up to 12 months would have an adverse impact on nearby land use. Mr. Gay stated the Community Development Department has concerns and recommends denial. Mr. Gay stated that the recommendation from the Community Development Department would be denial, however, if the Board should choose approval, the Community Development Department recommendations are as follows: 10 adult dogs, 3 litters of puppies per year, and allowing the puppies to be recognized as puppies and remain on site no longer than 6 months of age. Mr. Gay stated that the department put some numbers together and Ms. Diamond breeds large size dogs that can have sizeable litters. He stated that with seven adult dogs and each having a litter, the average is 175 dogs. Mr. Gay stated that the property while it is 8 acres is only 200 feet wide and is a long narrow piece of property. He stated that at some point when commercial grows where it is beyond the special use that is allowed within various districts then it would need to be relocated to a commercial establishment where you there are no neighbors to deal with and use would be allowed. Mr. Gay stated this was presented to the Planning Commission in a meeting held on March 28, 2022, at 6:00 p.m. and after their review they voted unanimously to recommend current conditions be changed to allow 20 adult dogs and 4 litters of puppies per year. Mr. Gay stated that although their recommendation was to modify

the current conditions, the Community Development Department still stands by their original recommendation of denial as we do not think that the property is suited as far as the dimensions of it to accommodate 175 dogs. Mr. Gay offered to answer any questions. Mrs. Diamond passed out notebooks to the Board to corroborate what she would be discussing. Ms. Diamond stated that the first section is her licensing. She stated that she had been licensed with the Department of Agriculture since 2011. Ms. Diamond stated that she currently has a Pet Dealers license which allows her to breed and a kennel license which allows her to board and train and both of those have been renewed through 2023. Ms. Diamond presented pictures of her kennels from her Atlanta set up before moving to Meriwether County. She stated that it was a 1.3-acre property in a subdivision and presented a collage of pictures also showing her set up in Meriwether County of her kennels Ms. Diamond stated that she purchased the property on Roosevelt Highway in January of 2016 but did not move to the property until March of 2019. Ms. Diamond stated that this is a smaller property, and she has two rooms dedicated to her dogs. She stated the exterior of the house is about 1.5 acres and even though she has German Shepherds this is more than enough room for them to get proper exercise every day. Ms. Diamond presented the Board pictures of the exterior of the property and stated that there was an additional 3 acres of property for more exercise. Ms. Diamond stated that for the past 10 years she has had her dogs participate in competitive sports such as Schutzhund. Ms. Diamond stated that she has traveled the east coast and provided feedback from people who had purchased puppies from her. Ms. Diamond went on to present her previous inspections and stated she tried to get as many of her previous Atlanta inspections as she could. She stated that unfortunately they only go back so far. Ms. Diamond presented a 2015 kennel inspection as she boarded rescues for one year was required to have a kennel license. She highlighted comments from the State from the inspection stating all areas are clean and in good state as observed. She presented her Pet Dealer's license from 2016 which allowed her 10 breeding animals. She quoted from highlighted material that all areas are clean and in a good state of repair and records are accurate with human care observed. Ms. Diamond stated she was inspected by AKC on November 30, 2016. Highlighted at the bottom of the inspection Ms. Diamond provided to the board stated GSD 16 adults and one puppy on site on 1.3-acre parcel. Ms. Diamond stated the inspection comments stated that all have more than adequate area for cover protection and exercise and appear healthy with all animals being at a good weight and further inspection review of records stated that customer was in compliance. Ms. Diamond provided her last inspection dated September 6, 2018, from Atlanta. She stated she did not move again until March of 2019. Ms. Diamond stated the State Inspector comments were, "I met with property owner Carmen Diamond from routine inspection. The dogs were kept in large outdoor kennels. Concrete flooring with some on dirt. Kennels are clean and dogs have fresh water available to them and are covered for shade and protection from the rain. All dogs appear healthy and well taken care of with lighting, ventilation, and temperature adequate." Ms. Diamond stated she highlighted on the inspection report all the areas that they are graded on during an inspection, including current license displayed, housekeeping, lighting, adequate temperature control, adequate ventilation, and do you have a fire extinguisher. Ms. Diamond stated that all these categories have to be graded on as they are inspected at least 1-2 times per year. Ms. Diamond stated if they do not meet the grade, they are issued a violation which is not a stop order it is a violation. Ms. Diamond stated once you are issued a violation the state tries to work with you and gives you a certain number of days to fix the issues and have them come back and reinspect. Ms. Diamond states they don't usually come in guns blazing to shut you down. Ms. Diamond stated her license did expire on January 31, 2019, and she moved to Luthersville in March of 2019 and did not start having litters until later on in the year. Ms. Diamond stated on September 23, 2019, the same inspector went to her address to do her inspection and noticed she wasn't there, so she asked Ms. Diamond where she was, and Ms. Diamond informed her she was in Meriwether County. Ms. Diamond stated the next day Robin Flory called her who is an inspector for Meriwether County, and they set up her first free license inspection on October 1, 2019. Ms. Diamond stated that after than everything went downhill. She stated she did not have any problem admitting her error as she did not transfer her state license like she was supposed to and did not have her business license and had 20 dogs instead of 10. Ms. Diamond admitted this as her issue and said she did a lot to try to correct the issue as she presented information showing Ms. Flory failed her inspection for not having a

license. Ms. Diamond thought that if she did the inspection she could get the license, but that's not what happened. She stated that even though Ms. Flory did not send her the report until a month later when Ms. Diamond hired an attorney, she did issue a stop order that day, but Ms. Diamond stated she did remember Ms. Flory saying she couldn't issue her pre-license until she got into compliance with the County, meaning getting down to what they thought was 5 dogs which was actually 10. Ms. Diamond stated she was issued two citations, one for not having a business license and one for violating her special permit, and Ms. Flory set up a re-inspection for November 5th, 2019, to come back to see if she got down to "5" dogs. Ms. Diamond provided the Board with copies of the citations as well as letters from the prior Zoning Director, Cathy Johnson and prior Animal Control Director, Shawn Downs letting the Board know what happened. Ms. Diamond stated 11 days after the inspection she hired Zoning Attorney, Melissa Griffiths and she said this is the plan. "Get down to 10 dogs as your current permit is still in effect unless the Magistrate court says otherwise and we will get your state license and business license on track and look to expand the permit." Ms. Diamond stated that her attorney advised her to renew her license, however, she knew that wouldn't work until Ms. Robin Flory transferred it. Ms. Diamond stated she did try to apply for a business license which was denied until she got her state license together. She stated she immediately started getting rid of dogs, immediately. Ms. Diamond stated getting close to her court date she did get down to 10 dogs and she asked if the County was willing to work with them, which they were not. She stated the email came to her right before her court date that the County was not willing to work with them for reasons as follows: "I wasn't eligible for a state license which is what I think Robin told them, which I don't know she said that, also they were under the impression that Ms. Diamond had 2 litters of puppies in a single month and that is not abnormal and basically since she did all this they were not willing to work with her. Ms. Diamond stated that they got a continuance and entered into an agreement. Ms. Diamond stated she had to meet a lot of requirements and she doesn't know if the Board wants her to knit it all together as she doesn't mind admitting her error, but at the end of the day it was a paperwork issue and she had too many dogs. Ms. Diamond then skipped to the amount it cost her and moved to the financial section of her book. Ms. Diamond stated the stop order was very detrimental and she could not do any breeding or selling while it was in place, and she was basically shut down for three months. She stated during that time she had to give away all her puppies for free and the way she was able to get in compliance so quickly was by giving away all her breeding females. Ms. Diamond stated that giving away young breeding females with papers, the females went pretty quickly. Ms. Diamond provided pictures of all the puppies and breeding females she gave away and missed three breeds during the time she was shut down and lost about \$25,000 dollars for the three months she was shut down. Ms. Diamond presented the limits for the stop permit stating that she missed two litters for the 2020 year. Ms. Diamond stated she lost out on \$1,100 in boarding fees for the Fourth of July holiday as that would have placed her over 10 dogs. Ms. Diamond stated that just because of the limitations of the permit she has right now she lost \$25,000. Ms. Diamond presented the financial impact of losing her breeding females. She stated that she breeds them from about 2 years of age to 6-7 years of age. Ms. Diamond stated that average litters can be as strong as 6 puppies and her puppies went for \$1000 a piece which is \$6000 dollars. Ms. Diamond stated she increased the amount per puppy in 2021 to \$1,500 per puppy and the first female breeding dog she had could have generated about \$50,000 in income over her breeding career. Ms. Diamond stated that all the dogs pictured she was required to give away for free and over this four-year period she potentially lost about \$186,000 dollars in income. Ms. Diamond stated that what Meriwether County has done with these restrictions and said is we are going to put a cap on this number, no matter what you are able to make or generate, we are only going to allow you two litters or now the Planning Commission is suggesting 4 litters per year and based on what she went through in 2019 if she goes over that there will be consequences such as citations, court dates, legal fees and the possibility of the permit being revoked which would be the end of the business. Ms. Diamond stated her production has been capped and if she goes over that, there are consequences. Ms. Diamond posed questions to the Board asking if she was a real estate agent would the County tell her how many closings she could have per year. She asked if she was a restaurant owner, would the County tell her how many customers she could serve per day. Ms. Diamond asked if the Family Dollar and Dollar Tree before they moved to

Luthersville, were they told how many products they could sell for them. Ms. Diamond stated this is pretty much the situation she is in right now. Ms. Diamond stated that her production has been determined and if she goes over there will be consequences. Ms. Diamond that on page 4 of her financial section were paperwork fees as this is what she got in trouble for as she did not transfer her state license nor did she have a business license and she has paperwork fees of about \$4,600 for license renewals, annual fees, insurance, state taxes, rabies, and Secretary of State fees just to sustain compliance. Ms. Diamond stated that what she lost because of the stop order was about \$25,000 the limitations of the permit, per Ms. Diamond she lost about \$25,000, \$4,600 in paperwork and she has spent \$11,000 in legal fees which totals about \$66,000 and doesn't include the income she lost by giving away all of her breeding females. Ms. Diamond stated the only way to replace that is to buy more or raise them until 2 years of age. Ms. Diamond stated that she is basically in a complete start over position. Ms. Diamond stated she wasn't dogfighting she just had to many and not the proper paperwork. Ms. Diamond stated in 2021 she did have two litters from two older females she had, and one female only had one puppy and the other had 4 and she kept two females and had three puppy sales totaling \$4500 in puppy sales for 2021. Ms. Diamond stated that she tried to obtain other income and re-homed a couple dogs and did some boarding and training and made an additional \$11,600 dollars in 2021. Ms. Diamond stated her most expensive costs are food and vet bills which for 2021 was \$6,500 a piece which already takes her to a negative income for 2021 and this is not all her expenses. This is a real example of the affect on her income from the litter restrictions, according to Ms. Diamond. Ms. Diamond provided a parcel map of her living area in Atlanta on the 1.3 acres and stated that for 8 years she had no complaints for noise or smell and had 10-20 dogs. Ms. Diamond stated that she also provided a survey of her current property. She stated she found it interesting as there was a black dot indicating her house on the 8.29 acres. Ms. Diamond stated that there are only 10 dots on the map. There is 60.4 acres owned by someone in Marietta and the which most of these showing the tax bill going to a different address. He stated that the 485.69 acres with a 1300 square foot home is titled: "The Movie Ranch". Ms. Diamond state the 8.49 and 8.60 lots next to hers belong to Mr. Mohammed and she has spoken with him several times and he lives in Newnan and his brother lives on the 849-tract parcel with his family and they have goats and chickens on the property. Ms. Diamond stated the 8.6-tract parcel is the abandoned trailer park. Ms. Diamond stated that there is a senior couple that has lived at the 3.7 acres next to them is a senior couple that has lived there since 1976. Ms. Diamond went on to discuss each tract and parcel and how long they have lived there. Ms. Diamond stated the rest of the parcels are vacant land. Ms. Diamond stated she did an open records request to see how the properties were zoned as and they are mostly zoned RD or rural development. She went on to stated that based some of the information from her open records request she is zoned LDR, and the rest are zoned RD. Ms. Diamond stated she is not a zoning person and doesn't know what type of commercial development can come there with no public water and no public sewage. Ms. Diamond stated that even if there was a subdivision next to her with 2 to 5-acre lots she can't imagine that each property would have its own well, Ms. Diamond stated that she is not stating that development won't come, but she is not sure what kind will come without public utilities. Ms. Diamond stated that in terms of impact, she has been in the County for three years now full-time and she has still not had any noise or smell complaints and it doesn't seem like she has had a negative impact thus far and going into the future unless all this is rezoned, and public utilities are offered the area doesn't look like it is zoned to be a high-density area. Ms. Diamond stated the next section of her presentation was Meriwether County dealers and this was touched on some in the February 9, 2022, meeting and she wanted to see how she stacked up to others in the industry in terms of the number of dogs others had. Ms. Diamond stated that on average they are inspected once per year. She stated the first dealer had one acre in 2017 and had 23 dogs, 19 dogs in 2018 and in 2019 is when Robin Flory took over the County and he was issued multiple violations. Ms. Diamond stated that in March of 2019 this dealer had 14 dogs and on March 11th he had 14 dogs with two females bred. Mrs. Diamond went on to stated that on March 21st this subject had 14 dogs, June 17th 10 dogs with four litters, August 2019 15 dogs, August 14th 12 dogs and he surrendered his license on October 29, 2022, due to health problems. Ms. Diamond stated the next individual did have a noise complaint as she had 3.5 acres with 10 and 12 dogs. Ms. Diamond stated that the Pomeranian breeder,

although having 100 neighboring acres, the kennel is not spread out over 100 acres. Ms. Diamond stated the address comes back to 3.28 acres and she had 46 dogs with several litters in 2017. Ms. Diamond stated in 2018 she had 46 dogs. In 2019 she had 60 dogs with 11 litters, 50 dogs with 7 litters in 2020 and in 2021 she had 55 dogs with four litters and two pregnant females. Ms. Diamond stated on her property which should be 8.29 acres she has had 20 dogs, 6 dogs, 10 dogs, 10 dogs, and 9 dogs today. Ms. Diamond stated in Meriwether County today there are only 5 people registered with the Georgia Department of Agriculture as pet dealers and she can't believe they are the only five in the county. Ms. Diamond stated she looked at neighboring counties, Troup, Spalding, and Heard and that is where other dealers are listed. One acre lots had 19 dogs, 12 dogs, and 10 dogs according to Ms. Diamond. She stated she personally knew the breeder in Hogansville on Wilbur Road as she is a German Shepherd International breeder and is on 9.5 acres with 19 dogs, 14 dogs. Ms. Diamond continued to list out different counties and their breeders and how many dogs they had on their amount of property. Ms. Diamond stated there is definitely people with a lot of acreage with a few dogs but also people with fewer acres with a lot of dogs. Ms. Diamond also presented industry data for the State as she assumed that there was a misconception that commercial breeders were only licensed with the USDA and pulled up the data as of 4-18-2022. Ms. Diamond stated that believe it or not the Pomeranian breeder is the only breeder in the entire State of Georgia with a USDA license right now. Ms. Diamond stated that the other breeders listed were not breeding dogs and were breeding things such as monkeys, zebras, lemurs, and sugar gliders. Ms. Diamond stated she did go to State of Georgia website in 2019 and downloaded a spreadsheet and at that time there was 882 pet dealers in the State. Ms. Diamond stated that you would need to be registered with the State to breed dogs, cats, fish, reptiles, or any other animal and if you do two or more litters you must be licensed. Ms. Diamond stated she scrubbed that list to only include only dog breeders and they also had the number of dogs based on the last inspection. Ms. Diamond stated that she sorted the parcels from smallest to largest with out going over 10 acres and highlighted the ones interesting to her. She began to read statistics of 0.14 acres with 15 dogs, 0.28 acres with 42 dogs, 0.29 acres with 17 dogs, It's a Poodle Party with 0.65 acres and 16 dogs, Maria's Family Shih Tzu's on 0.86 acres with 34 dogs. Ms. Diamond stated if there is a "Y" next to the name they still have a state license today. Ms. Diamond began reading statistics again starting with Crystal's Kennel on 0.92 acres with 37 dogs, Harmony Hounds 1 acre with 85 dogs, Coe's Kennel 1 acre with 59 dogs. Ms. Diamond stated that she is on the list but not until the 3rd page. Ms. Diamond stated the second page has more such as Boxers etc. with 37 dogs on 1 acre or Chancey Kennels with 200 dogs on 1 acre, to buy a Yorkie had 60 dogs on 1 acre. Ms. Diamond stated that J.D. Kennels were USDA licensed and their license expired in March and at that time they had 473 dogs on 1 acre. Ms. Diamond stated she is on the third page and highlighted her kennel at her previous address on 1.348 acres with 16 dogs. Ms. Diamond stated that this is what is happening in the state. She stated she looked at Meriwether County, neighboring counties, and the state and this is what is happening in the industry. Ms. Diamond continued by stating she wanted to look a previous case of Robin Flory's and stated that a breeder, Jerry Cobb on 2.9 acres and pulled a few of the inspection reports. Ms. Diamond stated May 19, 2020, Ms. Cobb had 56 dogs and the same inspector shut her down for 20 dogs on 8.29 acres in addition for not transferring her state license. She went on to read page 12 of this inspection stated that Ms. Cobb was down to 56 dogs and there are no puppies at the facility today and no pregnant dogs at that time. She continued to read the inspection and stated "owner states she is not breeding dogs nearly as often as she use to and is trying to get down to 50 dogs. Ms. Diamond stated that she checked the records for this breeder today and the owner provided her an outgoing form for all of the 42 dogs she just got rid of. Ms. Diamond stated that on that day she had 56 and then she just got rid of 42, so at one point she had over 90 dogs on a 2.9-acre tract of property. Ms. Diamond stated that on August 31st, 2020, the owner had 47 dogs and Ms. Flory's comments on the next page state there are currently 47 adult dogs and 2 small litters of puppies, but Ms. Cobb's kennel meets all the requirements and all dogs observed today are well-groomed and appear healthy, all kennels are clean and clean water is observed, and she continues to decrease her numbers and is down to 47 dogs which is down from 60 from prior inspection. Ms. Diamond read an inspection of Ms. Flory's for January 14, 2021, she had 44 dogs and comments were owner had 12 puppies and 24 adult dogs which was down from 56 and owner still doesn't

want to have more than 50. According to the inspection Ms. Flory discussed with Ms. Cobb the possibility of having her moved from high to medium in our system and she will make the recommendation to the state that humane care is observed. Ms. Diamond stated that on 6-23-2021 Ms. Cobb had 42 dogs according to the inspection report from Ms. Flory and comments state there were 8 litters today and the kennels are clean and clean water is provided the dogs appeared healthy and well groomed. Owner has consistently decreased her numbers over the past year from 80 to 56 to 40 to 42 in a year and she will recommend changing her status. Owner has received no violations over the past several inspections and no stop orders were issued for this individual per Ms. Diamond reading the inspection report. Ms. Diamond went on to read Ms. Flory's comments stating that she is recommending the Ms. Cobb be re-prioritized to medium and will continue to be inspected bi-yearly but no longer needs a high-priority setting. Ms. Diamond read Ms. Cobb's latest inspection dated January 18, 2022, and Ms. Cobb had 39 dogs and Ms. Flory's comments stated that there are currently 39 adult dogs and eight litters and the owner states she plans to decrease her numbers to approximately 20 dogs and humane care is observed. Ms. Diamond stated that this is not even a 3-acre tract, and she understands the County's concern about noise and smell and her requesting 25 adult dogs and the Planning Commission is recommending 20 and what she will say as that another attorney stated this is looked at on a case-by-case basis and she has an 11-year track record in a high-density setting and a low-density setting. Ms. Diamond stated she could see if she had all types of complaints with the state and county and all that but even with barking German Shepherds, she stated she has never had a complaint for noise and smell. Ms. Diamond stated that she can live with the age of 6 months being considered a puppy, but just because they are German Shepherds doesn't mean they have 10-12 puppies at a time as that is not true. Ms. Diamond stated that some of the German bloodlines have small litters, and her females are compact and only get to maybe 50lbs. they are not 100lb dogs. Ms. Diamond stated that the German bloodlines tend to have smaller litters and she is only a 50-55-pound compact female and would not have 10-12 puppies 6 is about it and she may have to have a c-section. Ms. Diamond stated that she was very disappointed when her female only had one puppy and she had to have a c-section. Ms. Diamond stated that the reason she doesn't want to have litter restrictions is because she has explained and shown how detrimental it is financially. Ms. Diamond stated that in the Meriwether County Ordinance she found it very interesting that there are no litter restrictions in the Ordinance for the County. What does that mean, Ms. Diamond asked? That means that anyone breeding in the county right now does not have to adhere to any type of litter restrictions as there is nothing about litter restrictions in the Ordinance. Ms. Diamond wants to know why she is having to be so restricted as if she didn't have a permit and just went by the Ordinance there are no litter restrictions. On page 6 in the Ordinance according to Ms. Diamond it states that if you have less than five acres you can only have three dogs up to and more than 5 acres you can have 5 dogs and if you want more you have to apply for a waiver and that is what she is doing as she wants more because she is a breeder, but in terms of restrictions to litters there is nothing to request an exception for that as they don't exist. Ms. Diamond states she is not sure why the information is in the Ordinance in the first place. Ms. Diamond stated she feels it was a huge error on her part to not explain that in 2017 as she never should have agreed with that. Ms. Diamond stated she didn't know then what she knows now and really hopes the Board doesn't force her to adhere to the litter restrictions as she would be held to a standard that no one else is being held to at the time. Ms. Diamond stated it would be unfair and in addition to how financially detrimental it is. Ms. Diamond states there are no litter restrictions, and she is not sure why it is there, but she is hoping is stated in her permit are the number of dogs she is allowed, and the definition of an adult included. Ms. Diamond stated the reason why is if she approved for 20 dogs and she has 17 adults and a litter of puppies she is considered over 20 dogs, but if they are not classified as adult until 6 months of age that gives her some time to move them before she is out of compliance. Ms. Diamond states the State's definition of adult dogs is 12 months and older. Ms. Diamond stated that she needs to be allowed more dogs not just for breeding purposes, but she does boarding trains which helped her generate more money last year since she only had 5 puppies. Ms. Diamond stated she does breed dogs sometimes but as she stated her track record speaks for itself and she could see if she was getting all kinds of noise and smelling complaints, but there are not that many people there and she has not had any

complaints in 11 years. Ms. Diamond stated she is hoping that the Board will remove the restrictions. Chairman Neely-Hadley asked if any commissioners had any questions. Chairman Neely-Hadley had one comment and stated going back to the beginning of the presentation and Ms. Diamond was talking about the amount of money she lost there. Chairman Neely-Hadley stated that it needed to be clarified that that was through no fault of the County. Ms. Diamond stated she is not saying that. Chairman Neely-Hadley stated "you said yourself you did not follow the rules, you didn't follow up with your paperwork so while that is a loss, a loss is a loss and I understand that, but that was by decisions Ms. Diamond made that those came to fruition. Ms. Diamond stated she is saying that is the effect of the stop order. Chairman Neely-Hadley stated that the stop order was based on the choices Ms. Diamond made. Ms. Diamond stated "right", and she still believed that the response, which is why she reviewed her specific case at the end. Ms. Diamond stated that lady had a lot of dogs too and she knows her license was in place and that is fine, but she is stating that the response to that felt like a 20-year sentence for a traffic ticket. She stated she thinks it was over done and she is not blaming the County for that as she stated she takes responsibility for having 20 dogs instead of 10. She again stated, "I take responsibility." Ms. Diamond stated she did not go through all the details of 2019 for the sake of time but feels that 3 months was too long to be shut down. Ms. Diamond stated that what Ms. Flory said was when she got in compliance with the dogs she would get with the county and will issue your license. Ms. Diamond stated she did that within the three months and she decided not to give me a license. Chairman Neely-Hadley confirmed that Ms. Flory works for the State of Georgia. Ms. Diamond stated that she did work for the State, and she is not blaming the County but feels she lost a lot for something she feels was really kind of minor. Vice Chairman Threadgill asked Ms. Diamond when she moved to Meriwether County. Mrs. Diamond stated March of 2019. Vice Chairman Threadgill asked her when she was fined. Ms. Diamond stated her inspection was October 1, 2019, and this is when she was given the citations. Vice Chairman Threadgill stated so for a 6-month period Mrs. Diamond was allowed 10 dogs on the property and went to 20 dogs. He then stated to Ms. Diamond that in the beginning of her presentation she stated that this had affected her business and she could not board dogs. Vice Chairman Threadgill stated that he did not believe in the special use permit it allowed for boarding of dogs. Ms. Diamond stated that she would not be able to breed dogs. Vice Chairman Threadgill stated that it was stated board dogs. He then stated that at this point the Board had allowed her 10 dogs and she violated that by having and additional 10 dogs and then stated that because of the stop order she could not make additional income as she was no longer able to board dogs. Vice Chairman Threadgill asked Mrs. Diamond what would make him think today that any compliance would be any different than it was within those 6 months. Mrs. Diamond stated that the stop order and the permit are two different things. She stated that limitations of the permit kept her from taking in any dogs and those were turned away because it would have put her over 10 dogs which is correct. Vice Chairman stated let's get back to the reality of the situation as she had 20 dogs on the premises when she should have had 10. Vice Chairman Threadgill asked her why. Ms. Diamond stated she is not sure how many dogs she moved to Meriwether County with but in her contract to avoid dogs going to pounds customers are allowed to return the dog if they can't keep them or she will help them re-home the dog. Ms. Diamond stated she did have a few returns that put her over the limit. Ms. Diamond stated that in 2017 Mr. Garrett stated that she was only allowed to have three dogs without a permit which was not correct and at the time she was not familiar with the situation. She stated that the Planning Commission at that time recommended that she could have 6 dogs as they thought she could only have 3. Ms. Diamond stated that with their recommendation they were only allowing her one more dog when she could have had 5 the whole time. Mrs. Diamond stated they still would not change their recommendation and at the time it was like pulling teeth to get 10 animals as she thinks they felt because they were German Shepherds there would be a lot of noise there and unfortunately if she knew then what she knew now she would have had a lawyer from the beginning because she assumed based on her experience in Atlanta and her knowledge of the industry she would have no issues on 8 acres which is why she represented herself that's where she messed up. Mrs. Diamond stated that she would have started the process before moving here if she knew then what she knew now as she would not have had any skin in the game and would have moved on to another property. Ms. Diamond stated it was a horrible miscalculation on her part based

on her previous experience and knowing what's going on in the industry she would have no issues on 8 acres and has not had any issues on 8 acres. Mrs. Diamond stated it was really profound in the 2017 meeting with the concern of the Shepherd breed and noise issues. Mrs. Diamond stated that if she didn't get a permit the property would be worthless, and she is just being honest with the Board now that she just got approval for something. Commissioner Hines stated that looking at the Ordinance that was provided to them by Ms. Diamond she would like to get a little clarity. Commissioner Hines stated that Chapter 32, Animal Control and Regulation. Commissioner Hines asked if the Ordinance and asked Mr. Gay for clarity. Commissioner Hines asked if this Ordinance addresses anyone having dogs and animals on their property, but what Ms. Diamond is referring to is a Commercial Breeder. Commissioner Hines stated this was strictly residential, but do we have an ordinance that specifically refers to commercial breeders and people who are doing this as a business. Commissioner Hines stated there is a difference if you're breeding and you are doing this as a business verse someone who has their residential home so I want to get clarity because in the Ordinance as Ms. Diamond states it does not tell you about the number of litters of anything because Commissioner Hines stated she would assume it is for residential vs. commercial. Commissioner Hines asked do we have anything that addresses, specifically the commercial raising of animals. Mr. Gay stated that the Ordinance that Commissioner Hines is referring to is Unified Animal Control Ordinance for ownership in general. If you go over to the Zoning Ordinance and take a look at that there are all kinds of things. Mr. Gay stated that Animal Care Facilities is allowed in A-1 Zoning and in RR Zoning. Mr. Gay explained that the reason everyone around Ms. Diamond is zoned RD and she is zoned LDR is because in RD you can't have Animal Care Facility. Mr. Gay stated that in 2017 not only did the Board allow her the special use, but they also rezoned her property, and the other properties are still RD as they were not rezoned and cannot have an animal care facility. Mr. Gay stated that animal care facilities are an allowable use in neighborhood commercial and industrial zoning, and he thinks that is the huge difference. Mr. Gay stated if this was an industrial area, he doesn't feel there would be an issue with it, but the question is putting this in a rural development area on a tract of land that is 200 feet wide, and an acre is 210ft x 210ft. and this is a narrow tract of land, and you can't get that much distance from the neighbors. Mr. Gay state to answer the question of Commissioner Hines, the Animal Control Ordinance is to control animals and deal with dangerous dogs. The issue of allowing breeders is all in the zoning districts and allowed in certain districts but not others. Commissioner Hines asked if the LDR zoning allowed for the commercial aspect of this. Mr. Gay stated not necessarily commercial it allows for an animal care facility and when they rezoned in 2017 it was classified as a hobby breeder and restrictions were placed at that time that Ms. Diamond agreed to. Mr. Gay stated he could go through and address other concerns brought up but realized that the Public Hearing was only supposed to be 15 minutes. Chairman Neely-Hadley stated that was her failure as the Public Hearing is supposed to be 15 minutes per side. Chairman Neely-Hadley asked if any of the other Commissioners had any questions for Mr. Gay. There were no other parties signed up to speak on the issue. Ms. Diamond stated that she understood what Mr. Gay was saying about commercial but breeders are not going to sign up for additional bills for breeding and to prove her point the Pomeranian breeder is not in a commercial location and she would like to know why as she's got a lot of acres but breeders are not going to take an additional rent expense, insurance, build out costs as their income is not consistent to take on another set of bills and this is usually done at home and if you have litters and have a commercial location you have to drive back and forth to check on them and it's not realistic. Ms. Diamond understands what Mr. Gay is saying but there is a reason she agreed to those terms erroneously in 2017 is because she wants to expand, and she really needs more dogs than this and she would not feel comfortable coming forward and asking for this if she had a bunch of complaints and she doesn't and there are no litter restrictions in the Ordinance. Vice Chairman Threadgill asked Ms. Diamond what the reason for her need was to expand. Ms. Diamond stated that 10 is not enough dogs and she needs to be able to have more as she is a breeder. Ms. Diamond stated there is an option to expand as business needs change and she never should of agreed to any of the terms in 2017 as 10 was not going to work for her then and she never should of agreed to this. Ms. Diamond stated that breeders need more dogs, and she is trying to help the animal shelter community by taking dogs back and rehoming them. Ms. Diamond stated she is not trying to be a dog

hoarder but trying to be a responsible dog owner and she is not trying to impact her neighbors and she is being completely honest this time and made mistakes in 2017 and in 2019 and has lost a lot and is not blaming the County but is asking to expand her permit to something that will work for her business. Mr. Gay stated that he appreciated what Ms. Diamond does and knows her animals are taken well care of. Mr. Gay stated that when Ms. Diamond bought the property, she was allowed 5 dogs and yes, we don't have an order on litter restrictions but when you have 5 dogs or 3 dogs you don't have to worry about the litter restriction it takes care of itself. Mr. Gay stated that the issue is about the growing beyond the intended use of the zoning area that was allowed for special use between rural lands and zoning districts. The County was not responsible for the financial impact. Ms. Diamond was given what she asked for in 2017 and she did not comply. Mr. Gay stated as far as the tax maps go RD is primarily 2 acres and LDR is 5 acres, and her zoning was changed along with the request of hobby breeding as it was not allowed in RD. Mr. Gay stated he believes that some of the issues that Ms. Diamond brings up are not in Meriwether County as Atlanta other locations are much different than Meriwether County. Mr. Gay stated in some areas 25 dogs would not be an issue but in some areas 25 dogs would be. Commissioner Hines asked if this was the recommendation of the Planning Commission. Mr. Gay stated that the Community Development Department recommended denial, however if approved they would limit to 10 dogs and three litters of puppies a year with an adult not being over 6 months of age. The Planning Commission voted to allow 20 adult dogs and 4 litters of puppies per year, but that is not the recommendation of the Community Development Department. Vice Chairman Threadgill asked Ms. Diamond if she lived in Meriwether County. Ms. Diamond stated she did. Vice Chairman Threadgill asked if she claimed homestead exemption. Ms. Diamond stated that she does and lives there full-time. There were no other signed up speakers or comments. A motion was made to go out of Public Hearing at 7:21 p.m. by Vice Chairman Threadgill and seconded by Commissioner Plant. All were in favor. A motion was made by Vice Chairman Threadgill to maintain the current special use permit of 10 adult dogs, 2 litters per year, and adult dogs considered over 6 months of age. This was seconded by Commissioner McCoy. Commissioner Hines stated she still is a little confused in that the Planning Commission stated something totally different. Voting in favor were Commissioner McCoy, Vice Chairman Threadgill, Chairman Neely-Hadley and Commissioner Plant. Commissioner Hines opposed the motion. The motion passed with 4 in favor and 1 opposed.

Case# 2002-002 – Harmoni Towers, LLC, as an agent for Cherri E. and Elaine S. Powers is requesting a special use permit to construct a new telecommunication tower on a 96.56-acre tract identified as Tax Map #173 013, located at Imlac Road and Highway 85. The purpose of the rezoning is to request construction of a new telecommunication tower and equipment compound.

A motion was made by Vice Chairman Threadgill and seconded by Commissioner McCoy to go into Public Hearing at 7:23 p.m. All were in favor. Mr. Gay stated that Harmoni Towers, LLC has requested a rezoning from A-1 to A-1 special use for the construction of a telecommunication tower to improve wireless service in the area. Mr. Gay stated the subject property is located at 4578 Imlac Road, Woodbury and is a 96.56-acre tract located on Tax Map #173 013. Mr. Gay stated the proposed special use area is 10,000 square feet with an easement of access to driveway access and guidewire placements. Mr. Gay stated the tower is a 305 ft tower. Mr. Gay stated that while there is a tower in close proximity the applicant has provided studies and analysis showing the tower is not tall enough nor does it have enough capacity. Mr. Gay stated that the recommendations from the Community Development Department is approval with the following conditions. The height of the tower should not exceed 305 feet excluding antennas or apparatuses that may be attached. The applicant shall comply with all Meriwether County Ordinances in Appendix A, Article 9. Mr. Gay stated that the guidewire and compound area should be fenced in accordance with construction. Meriwether County Planning Commission voted to approve unanimously to follow the recommendations of the Community Development Department with the conditions. Mr. Gay stated there are a lot of regulations in the tower Ordinance with the tower needing to be lit. Commissioner McCoy stated that he knows there has been opposition to the tower what needs to be looked at is what do you do when there is opposition as the way the law is written. Commissioner

McCoy stated it is hard coming up with an objection. Mr. Andy Robenstrike stated he was there on behalf of Harmoni Towers and AT&T whom Harmoni Towers is looking to get this tower to support their equipment to get AT&T service into the general area. Mr. Robenstrike stated they are taking up 10,000 sq. ft which is 100ft x 100ft. to support guidewires for a 305 ft tower. Mr. Robenstrike stated that they meet all of the provisions of the County Ordinance, and it is an extensive ordinance. When AT&T needs additional coverage and looking to fill a gap and the first thing, they do is look to co-locate. Even though there is an existing tower it is only 199 ft tall and in order to get the coverage it needed to be 305 ft. Mr. Robenstrike stated the only other option was to build a new tower and they looked at the ordinance, followed all provisions, and looked at setbacks. Mr. Robenstrike stated they meet all 8 of the provisions in the Ordinance. The tower proposing will be built to accommodate up to 4 carriers. This should accommodate an additional three tenants, Harmoni towers will allow them on. Mr. Robenstrike stated that there only option would be to build a bigger tower as the previous tower would not meet their needs. Commissioner McCoy did hear opposition but hearing what was said here, we don't have a choice. There were no others who signed up or wished to speak. A motion was made by Vice Chairman Threadgill and seconded by Commissioner Plant to go out of Public Hearing at 7:31. All were in favor. Attorney Michael Hill stated that before the vote he needed to remind the Board as there is a heightened standard for cell phone towers under the Federal Communications Act which is a federal law that requires that if you are going to deny a request it will have to be in writing with what they call substantial evidence backing up the denial. Additionally, you can't cite health concerns, you can't cite aesthetics alone and you can't cite environmental or radio frequencies as part of the reason that you would. Attorney Hill stated you cannot unreasonably discriminate against tower providers and wanted the Board to understand that before the vote. A motion was made by Commissioner McCoy to approve the tower with the following conditions: *1. The height of the tower shall not exceed the proposed 305 feet, excluding any antennas. 2. Applicant shall comply with all provisions of The Meriwether County Communications Tower Regulations, as confirmed in The Meriwether County Zoning Ordinance, Appendix A, Article 9. 3. Tower compound area and guy wire anchors shall be fenced in accordance with submitted plans and construction details. 4. Meriwether County shall have the right to co-locate county communication equipment on the subject tower at no cost, provided the placement of the county equipment does not interfere with the tower's equipment or operations.* This was seconded by Vice Chairman Threadgill. All were in favor. *(During the 06-08-2022 Board of Commissioners Meeting, the Board voted to correct the Minutes from the 04-26-2022 Meeting to including the four conditions which are to be a part of the tower approval)*

Case# 2022-003 Steven Reynolds, on behalf of Joan Bowden Henry, is requesting a conditional use zoning to allow for a retail firearms arms and repair shop in an existing building on a 2.68-acre tract identified as Tax Map #068 020 and located at 27950 Roosevelt Highway, Luthersville, GA. The purpose of the rezoning is to request conditional zoning for operation of a retail firearms and repair shop in an existing building.

A motion was made by Commissioner McCoy and seconded by Vice Chairman Threadgill at 7:33 to go into Public Hearing. All were in favor. Mr. Gay stated that Mr. Steven Reynolds was here on behalf of Joan Bowden Henry requesting a conditional zoning of 1 acre of a 2.548-acre tract from RD to NHC condition to allow for retail firearms and firearms repair shop in an existing commercial building. The property is located at 28000 Roosevelt Highway in Luthersville and identified as part of Tax Map# 68 020 and parcel 2 as referenced on the plat. Mr. Gay stated according to the records this property includes a house built in the 1870s and a 972 square foot commercial building built in 1969. The request is to rezone 1 acre with a commercial building and the commercial building has been used for various businesses through the years and most recently used as a church. Mr. Gay stated in the past it has been used as a grocery store, feed store, and flea market. Mr. Gay stated no comments from county departments and reviewed all standards. Mr. Gay stated after the review the Community Development Department recommends approval with the following conditions: The use of the building should be limited to firearm sales and repairs, there shall be no firing range on site, the existing building shall not be expanded without prior approval from Meriwether County, and signage of the business shall conform to

the provisions of the Meriwether County sign ordinance. This was presented to the Planning Commission on March 28, 2022, and they recommended approval unanimously as with the recommendation of the Community Development Authority. Mr. Gay stated no one spoke in opposition. Mr. Reynolds is in the audience if there are any questions. Mr. Reynolds had no comments. There was no one in the audience opposed. Mr. Gay stated as a citizen of the area he was in support of what they are trying to do. No one spoke in opposition. A motion was made by Vice Chairman Threadgill and seconded by Commissioner McCoy to go out of Public Hearing at 7:36. All were in favor. A motion was made by Commissioner McCoy to approve the request as there is no firing range associated. A second was made by Vice Chairman Threadgill. All were in favor. Chairman Neely-Hadley went back, and Commissioner McCoy corrected the motion to include the conditions in the motion. This was seconded by Vice Chairman Threadgill, and all were in favor.

IX. APPOINTMENTS

1. **Water and Sewerage, District 5 to fill an unexpired term that will end on 12-31-2024.**
Motion was made by Chairman Neely-Hadley and seconded by Vice Chairman Threadgill to table the appointment to the Water and Sewerage Authority, District 5. All were in favor.

X. UNFINISHED BUSINESS

1. **Discuss leasing/purchasing two existing motor graders.**
Mr. Bill Cawthorne provided a spreadsheet and put information together on the two motor graders which are 2019 model caterpillar motor grader 12M3s. Mr. Cawthorne stated that Commissioner Hines had questions on the hours of the machines and the current hours on the machines are 996 hours and 2128 hours. Mr. Cawthorne provided the purchase price and the monthly lease payments and what would be paid in the 60 months which is \$268,810.00. Mr. Cawthorne stated there is a fixed-purchase price of \$148,785 a piece and if it is decided to purchase those machines the County would pay \$560,380.20. the machines will go off of the guaranteed warranty at the end of the month and additional powertrain warranties can be purchased if the Board chooses and there are preventative maintenance agreements that can be entered into as well. Vice Chairman Threadgill confirmed that the motor graders are used seasonally and not during the winter. Mr. Cawthorne stated they are not user friendly when raining and in the wintertime. Vice Chairman Threadgill stated we have the one that we're using, plus the 2021 that we bought and then we have these two on lease. Chairman Neely-Hadley stated that the question is whether or not we would purchase the two motor graders or continue on a lease with Caterpillar. Mr. Cawthorne stated that because of the low hours with these machines the price that they are offering to be purchased, is well below what they are worth because of the low hours. Vice Chairman Threadgill stated that we have one 2021 that we purchased, we have an older one that is still in use, the lease is about to be up on these two in question, we are very short-staffed in Public Works at this point by 12 employees and he is unsure if there would be enough staff to operate all of the machines. Vice Chairman Threadgill stated because we just purchased a 2021 motor grader, if the County purchased one of the leased motor graders and let the other one go back then if decided later or by next year if these are working well and another motor grader is needed at that point go back into a lease on a new one and maybe when that lease is up purchase that one and lease another one as needed. Vice Chairman Threadgill stated that this way we always have one new one coming in under lease and the County owns the newest of those leased ones instead of going in and leasing all of these and the possibility of no staff to operate them. Chairman Neely-Hadley stated she thought this was a part of the original thought that the County would always have a new motor grader if we continued with the lease, maybe two but at least there would be one with what Vice Chairman Threadgill is suggesting. Vice Chairman Threadgill asked Mr. Cawthorne if he felt it would work by purchasing one motor grader and letting the other one go back and we have two newer ones, the older one and see how that works out for the season and if needed come back before the Board to see about leasing a new one. Mr. Cawthorne stated that with the staff that Public Works has now they are really only able to operate three at the time. Commissioner McCoy asked if there was a long waiting time and how simple it would be to go lease as of now. Mr. Cawthorne stated if the County wanted to

enter into another lease agreement the equipment is about a year out on wait time. Commissioner McCoy stated if decided next year to lease another motor grader it would be two years out. Mr. Cawthorne confirmed that was correct, however if you lease this year, it could be a year before you could get one. Mr. Cawthorne stated that the hours on the machines in question are very, very low hours and very viable and in very good shape. Vice Chairman Threadgill stated that his concern and the reason behind purchasing just one machine is that it has been brought to the Board multiple times this year to purchase equipment for many departments and funds have been taken out of SPLOST, TSPLOST, ARPA and he feels that really and truly there is no grasp everyday as to what the balances truly are and how much we have left to spend in these accounts and there is concern of overextending ourselves under these by continuing to purchase or lease everything that comes before the Board. Chairman Neely-Hadley asked that if the Board were to purchase one of the machines, would they be able to choose the one with the least number of hours. Mr. Cawthorne stated that based on the lease agreement it is our choice one which machine we want to keep. Mr. Cawthorne stated he did cost comparison on other motor graders for 2015 and 2016 that are for sale online and most of those machines have 5000 to 6000 hours on them and they are asking more than what the payout on our current machines are. Mr. Cawthorne stated the machines are \$148,000 and \$158,000 and they have 5000 and 6000 hours. Mr. Cawthorne stated that if one of the machines is purchased and one goes back, the Board may want to consider buying an additional maintenance for the powertrain and hydraulic warranty. He stated he doesn't feel there will be any issues with the machines, however, if the hydraulic system goes it is very expensive. Vice Chairman Threadgill stated this was his concern in purchasing both as the warranty will be going out on them and we are investing all this money when we could purchase one and then go into a lease agreement again next year and have one under warranty that we don't worry about. Chairman Neely-Hadley stated that it seems as if an additional warranty can be purchased. Commissioner McCoy asked how much the extended warranty would be. Mr. Cawthorne stated he got quotes and if the warranty is purchased for the powertrain and hydraulic parts and labor, meaning they will cover everything except they won't cover your wear items such as tires, blades, or windshield, and for the lowest hour machine the cost was \$10,322 for 60 months or 5000 hours. Mr. Cawthorne stated he would recommend purchase of the warranty. Commissioner Hines asked what the time frame was for seasonal use of the machines. Mr. Cawthorne stated depending on the weather usually the season is from the first of April to mid-November. Commissioner Hines then wanted to know what the time frame on the lease would be. Vice Chairman Threadgill stated what he was conveying is that we just purchased a 2021 model and then by purchasing one of the leased motor graders with low hours, we still have one older one and this would give use three, allowing one of the 2016 units to go back. Commissioner Hines wanted to know how long the lease was for. Chairman Neely-Hadley stated 5 years. A motion was made to purchase one of the 2016 models with the lowest number of hours as well as the additional warranty for 60 months for an additional \$10,322 purchasing with money from TSPLOST by Vice Chairman Threadgill. This was seconded by Commissioner McCoy. All were in favor.

XI. NEW BUSINESS

1. ***Proclamation for Vic Dowis – moved to #1 under Minutes.***
2. ***NFP Insurance Proposal for 2022-2023 moved to # 2 under Minutes.***
3. **Appointment to the Public Facilities Authority to expire December 31, 2023.**

Commissioner Plant stated this appointment is currently held by Sonya Flynn and she has expressed that she did not want to be reappointed to the Public Facilities Authority. Commissioner Plant stated the Authority meets very seldom. Commissioner Plant stated that she has been on the Authority since 2017 and they have met one time. Commissioner Plant stated that she spoke with Bill Charron, and he agreed to serve on the Authority, and he is also on the Planning Commission. A motion was made by Commissioner Plant and seconded by Vice Chairman Threadgill to appoint Bill Charron to the Public Facilities Authority. All were in favor.

4. **Appointment to the Public Facilities Authority to expire December 31, 2024.**

Vice Chairman Threadgill stated that he spoke with Robin Wilkinson who currently holds the seat, and she is willing to serve again. Vice Chairman Threadgill made a motion to reappoint Robin Wilkinson.

This was seconded by Commissioner McCoy. All were in favor.

5. Summerour Event request for a temporary road closure.

Administrator Michelle Irizarry stated that Hugh Summerour who owns several businesses in the Town of Gay has planned a Pasture Dash event for June 12, 2022, beginning at 9:30 a.m. and ending at 5:00 p.m. Vice Chairman Threadgill left the meeting at 7:50 p.m. Administrator Irizarry stated this was a triathlon type event involving, running, biking, and swimming and in order to ensure the safety of the participants he has asked some County roads be temporarily closed or limited to one lane of traffic during the event. Administrator Irizarry presented a map of the proposed route, the requested roads to be closed, and a letter from Mayor Nash about the event. Administrator Irizarry stated the event organizers have reached out to Public Safety. Staff recommendation would be to approve the request contingent on an agreed upon traffic and safety plan with the Sheriff's Office, Fire Rescue, EMS, and E-911. Vice Chairman Threadgill returned to the meeting at 7:52 p.m. A motion was made by Vice Chairman Threadgill and seconded by Commissioner McCoy to approve the request for the Pasture Dash event. All were in favor.

6. Service Delivery Strategy Resolution -- Wastewater.

Administrator Irizarry explained this was asked to be open by the City of Luthersville as they have been awarded a CDBG grant and need to update their maps. Administrator Irizarry stated we had reached out to the City of Greenville and the City of Manchester letting them know as it will need to be signed by all parties. Administrator Irizarry stated that staff had also reached out to other parties but having difficulty getting in touch with folks, so we are working on that, and staff is recommending approval to open up the Service Delivery Strategy for Wastewater. A motion was made by Chairman Neely-Hadley and seconded by Vice Chairman Threadgill to approve the Resolution for Wastewater. All were in favor.

7. Empower: Change Plan Administrator and Plan Elections.

Administrator Irizarry stated that Beverly Thomas has served as the plan administrator for the retirement plan due to their being a lot of transitions in the administrator position and she is recommending now that there is a full-time Human Resources Director in place that "I" would be named as plan administrator. Administrator Irizarry stated MassMutual did sell their accounts to Empower and they have finally completed that transition and Empower has asked the County if they would be interested in allowing our employees to elect to have Empower manage their retirement accounts. Administrator Irizarry stated there would be a charge to the employee of 0.65 basis points for this service and currently it is 0.5 basis points but again there has been transition within the sale of MassMutual to Empower. A motion was made by Vice Chairman Threadgill to change the Plan Administrator to Michelle Irizarry. This was seconded by Commissioner McCoy. All were in favor.

A motion was made to let Empower Retirement serve the employees of Meriwether County at a 0.65 basis points by Commissioner McCoy and seconded by Vice Chairman Threadgill. All were in favor.

XII. REPORT FROM COUNTY ADMINISTRATOR

Administrator Irizarry stated she received an email from Ms. Jane Fryer stating the "Cleanup Event" had come and gone and was a huge event and she was excited to thank everyone that participated. Results were not in yet, but Ms. Jane will pass them along as they come in and there will be a meeting on Tuesday, May 10th, at 10 a.m. to discuss the event and present awards at the Administration Building, but she wanted to thank everybody once again. Administrator Irizarry stated there was a couple things with tires however there's always something that doesn't go as planned no matter how much information is put out there. Administrator Irizarry stated that Animal Control had the event here from Harris County Humane Society regarding the vaccinations and the microchips with 215 citizens signed up and all but 40 showed up so it was very popular and the only location it was done in because it was centralized in front of the DFACS building and was very successful.

XIII. REPORT FROM COUNTY COMMISSIONERS

Commissioner Hines – reported that in reference to the cleanup it was quite successful but Mayor Cuttie did want it brought to the Board's attention that the dumpsters were full to the brim and it seemed that someone from a construction site came and dumped their things and we know it is for the citizens but for

a business to come he was concerned and wanted the County aware to see how to address this in the for the event in October. Commissioner Hines stated it seemed like certain people in certain businesses are taking advantage of that. Commissioner Hines stated the previous evening she had a Townhall meeting in Alvaton that went quite well, but they also wanted to express that during the cleanup that it seems like a lot of people assumingly from outside of Meriwether County are taking advantage of that and dropped a lot of tires. The citizens need a clear understanding of how they dispose of those tires. Citizens are concerned again for commercial businesses dumping. Commissioner Hines stated that Mayor Cuttie wanted to make everyone aware of the Meriwether County Community Blood Drive which will be in Luthersville at the City Hall complex on Thursday, May 26th, 2022, from 2:00 p.m. until 7:00 p.m. and is a great opportunity for those to participate in giving blood and hopefully this information can be put out on the website and promote through the Red Cross. Commissioner Hines asked Ms. Irizarry if she had a chance to follow up with USDA. Administrator Irizarry stated she spoke to Ms. Tameka an information was sent over and there will be a follow-up soon. Commissioner Hines also would like the Board to look at getting more information on the Infrastructure Bill as there are various projects that we will have to look at paying for. Commissioner Hines stated that she complies with the gentleman that spoke earlier regarding Forrest Road as there is definitely sections that need to be looked at as it was previously patched but needs attention and another concern are the number of semi-trucks coming through the area and they are tearing up the roads and it was brought to her attention that they are doing the same thing coming down Alvaton Road. Commissioner Hines stated there is signage up, but it is not deterring truckers and not sure if we can get a study done as they are coming off the highway using Alvaton Road.

Commissioner Plant – stated she will piggyback Commissioner Hines on a couple of things. Commissioner Plant stated that Keep Meriwether Beautiful was very successful and after speaking with Ms. Jane she wanted me to express appreciation and thanks to Public Works as they went above and beyond and the number of employees willing to help with the event was very appreciated. Commissioner Plant stated that Ms. Jane also wanted to express that fellow Commissioner Neely-Hadley and her team was quite successful even a 2-year-old. Commissioner Plant stated it was encouraging having high school teams from both high schools and the number of students that participated. Commissioner Plant stated it was discouraging with people not following the rules with the number of tires and not taken to the proper location. Commissioner Plant stated she is not sure how it needs to be addressed but it needs to be, and her initial thought was to prosecute to the fullest extent of the law because someone was paid somewhere for the number of tires. Commissioner Plant stated that as far as she knows Forrest Road is on the LMIG list and unfortunately there is a section of Forrest Road that will need Full Depth Reclamation and it will be in an area that will be paved, unpaved, FDR, and another unpaved section. Commissioner Plant stated that Forrest Road is rough and bad and Mr. Bill Cawthorne have discussed that as she experienced the same thing, and it is a very long road. Commissioner Plant stated it would be nice but was not feasible to have it paved one end to the other. Commissioner Plant appreciates the volunteers for Keep Meriwether Beautiful.

Commissioner McCoy – reported that the last week seemed like ballgame to him as he and Commissioner Plant had the opportunity to watch a ballgame at the Woodbury field and the Luthersville team showed up to play as well due to their field being wet. Commissioner McCoy stated on this Saturday out at Lake Meriwether the ball field was being utilized and is needed. Commissioner McCoy stated that they are looking and in the talking phase of building a stage at Lake Meriwether due to events coming up such as Peaches in the Pines and he does have a surplus of pressure treated wood that could be used.

Vice Chairman Threadgill- No report at this time.

Chairman Neely-Hadley- stated that she would like to mention a few things regarding Keep Meriwether Beautiful as there is a few months before it is held again and the site at Warm Springs looks horrible. Chairman Neely-Hadley stated there was three dumpsters in Warm Springs and one of the haulers

replaced a dumpster during the day and there's probably enough to fill three more dumpsters sitting on the ground and what's going to happen is we will lose the privilege of doing it if we can't find a way to control it. Chairman Neely-Hadley states that our Public Works has to spend all week trying to clean the mess up and maybe as a County we could come up with something as she doesn't know what the answer is but in Manchester, they moved their dumpsites from the mill to their old animal shelter site that is gated and locked up and gates were opened at 8:00 a.m. and closed at 4:00 p.m. Chairman Neely-Hadley stated they had stuff on the ground because there is simply not enough dumpsters and everyone really cleaned out and wondered if there was a gated area to use. Chairman Neely-Hadley stated she wished there was a way, but you have to have someone there to work and there were people there from Public Works and it was all some of them could do to help people lift items into the dumpsters. Chairman Neely-Hadley stated that people who are doing the right thing are going to suffer when we have to shut down the event as there is no telling what we will have to pay Public Works employees just to clean it up and they are not able to do their regular job. Chairman Neely-Hadley stated there was still trouble on Juke Line with the trucks coming through and it had gotten a little better when the compliance company with GDOT came and stopped the trucks, but it is terrible on Juke Line. Chairman Neely-Hadley suggested maybe having another meeting with GDOT regarding Forrest Road, Alvaton Road, and Juke Line Road as they seem to be the ones that can get the most done. She stated the Sheriff's Office in conjunction with the City of Warm Springs did stop and write tickets of people coming off Juke Line for a while and then when they backed off the problem came back. Chairman Neely-Hadley stated that Carolyn McKinley ask that she mention the Roosevelt Memorial Airport Business after hours on Thursday, May 12, 2022, from 5:30 p.m. to 7 p.m. celebrating the 90th anniversary.

XIV. REPORT FROM COUNTY ATTORNEY

Attorney Michael Hill stated he has no report however, there was a need for Executive Session to discuss Litigation, Personnel, and Real Estate.

XV. EXECUTIVE SESSION

A motion was made by Chairman Threadgill and seconded by Commissioner Plant to go into Executive Session at 8:09 p.m. to discuss Litigation, Personnel, and Real Estate. All were in favor. A motion was made by Vice Chairman Threadgill and seconded by Commissioner Plant to go out of Executive Session at 9:01 p.m. A motion was made by Vice Chairman Threadgill and seconded by Commissioner McCoy to go back into Regular Session at 9:03p.m. No action was taken in Executive Session. Commissioner Hines stated there is a Work Session May 24th to talk about Waste Management and she would also like to put on that Agenda to discuss the Fire Stations and Fire District.

XVI. FUTURE MEETINGS & NOTICES

Chairman Neely-Hadley announced Future Meetings and Notices prior to Executive Session.

Regular Meeting May 11, 2022, 9:00 a.m.

Work Session, May 24, 2022, 4:00 p.m.

Regular Meeting May 24, 2022, 6:00 a.m.

Memorial Day Holiday, May 30, 2022

XVII. ADJOURNMENT

Motion was made by Vice Chairman Threadgill and seconded by Commissioner McCoy to adjourn at 9:03 p.m. All were in favor.

Approved by: *Majority vote of the Board of Commissioners*

Attest: *Allyson K. Stephens, Deputy Clerk*

Date: *May 11, 2022 / Revised June 8, 2022 with correction.*