



MINUTES
APRIL 11, 2017
8:30 A.M.

STEPHENS COUNTY BOARD OF COMMISSIONERS
HISTORICAL COURTHOUSE COURTROOM

PRESENT FOR MEETING: Commissioners Debbie Whitlock, Stanley London, Dennis Bell, Dean Scarborough and Michelle Ivester; County Clerk Beth Rider; County Administrator Phyllis Ayers; County Attorney Brian Ranck

1ST READING OF SIGN ORDINANCE

County Attorney Brian Ranck opened the public hearing for anyone wishing to speak in favor of the sign ordinance.

Mr. Clay Fisher stated he was not for or against the sign ordinance; he was speaking on behalf of the Toccoa-Stephens County Tomorrow Committee. Mr. Fisher stated they began working on a sign ordinance about 14 months ago to look at ways to keep the gateway coming into Stephens County as pristine as possible. Mr. Fisher stated he provided six pictures taken as you are coming in on that route, when you top that hill you know you are home. When you see the mountain and the pristine farmland, it is something we have been working on is to have great gateways coming into Toccoa and Stephens County. A couple things our committee would like to address on the sign ordinance, the first page is the Currahee Parkway; Representative Dan Gasaway has been working with us to get that approved and it has passed through Legislation to be a scenic highway, to be an alternate route for people traveling 85 to be able to come up 17 extension onto 365 on down to 985. We put together some billboard talking points as a committee listed on page three and four; on page five we have a few concerns, it says the proposed square footage of the billboard is 1200 square feet. To put that into perspective that is a two story home 60 feet long; to put it in better perspective it is four times the size of the digital billboard located at Buck's Superette. Things like that need to be addressed; we applaud you for doing a sign ordinance. There are nine billboards along the route, 27 billboard faces along that route, 63% are vacant. Under the guidelines of the district requirements this would allow from Franklin County to the Habersham County line 265 billboards. We need to keep it very pristine and we need to have great gateways. We have always had a great gateway coming from Habersham as you are coming down you see Currahee Mountain and now we have the opportunity with Hwy 17 to keep that in its natural beauty and continue working with GDOT to provide informational signage which is greatly needed to bring people into our community. We ask for the Sign Ordinance to be tabled, we would like the opportunity to be able to work as a group; we have a diversified committee and we are here for the general purpose of improving and doing more. Mr. Fisher stated if we can't table this we would like to see an overlay district from the Franklin County line to the Habersham County line, there are 16.7 miles and we don't need the opportunity for 265 billboards on that route. Thank you.

Mr. Tim Hale stated we have one chance to get this right; it would behoove us all to get a tone of what we want our community to look like. We really need a front door, we have a lot of backdoors and paths and cow trails into town that is not doing us any good. We need a way to come into or through town that puts

our best foot forward; communities need to work for the greatest good. Mr. Hale stated he can't help but think who might want to put up advertisements along this road, he don't think many local people would. Mr. Hale stated he wondered how many Harrah's signs, how many Helen signs we would have. How many signs would people be helping those to hurry through our community while they have valid interest. Mr.

Pg. 2
April 11, 2017
Commissioner's Meeting

Hale stated he did not think they should control the messaging put forward along that route and believes we are much better served in the long run for the natural beauty of our community. Thank you

Ms. Julie Paysen stated she is a resident and also representing the Chamber of Commerce. Ms. Paysen stated she would like to echo what Tim and Clay have shared but she is coming from a different perspective. Ms. Paysen stated she was not from Stephens County but from Atlanta inside the perimeter where she grew up. She stated she progressively moved north and away from the rat race; before coming to Stephens County she lived in Hall County where one of her sons played ball regularly in Lavonia. Ms. Paysen stated she cannot tell you how much she looked forward to making that trip; she didn't know anything about Toccoa, she came down 17 and turned right at Walmart and couldn't wait to crest that hill to see the view. She stated she didn't know about Currahee Mountain but knew it was a beautiful mountain, it was pristine and preserved and peaceful and that is something we have in Stephens County they don't have in neighboring counties. Ms. Paysen stated we are in a position to protect that, and that is my request as an outsider. We take for granted what we have; you can't find that preserved beauty that is a drawing card for this community. Ms. Paysen stated the second thing from the Chamber of Commerce we had 14,682 people come through the door at the Welcome Center in 12 months in 2016. We hear it is so beautiful here. We would blend right in if we had hundreds of billboards. We are in such a hurry we buzz right through this town and don't realize what we have, it is preserved and people can't find that where they come from and we hear that all the time. From a community perspective and also tourism perspective we ask that you consider protecting that in our community. Thank you.

Ms. Connie Tabor stated she is representing Main Street Toccoa and will echo the comments made from Toccoa-Stephens County Tomorrow. One thing we want to reiterate is that we are not opposed to the sign ordinance at all; we applaud you for that one always had on the agenda. We are opposed to billboards being placed in the highway corridor. You all know how hard we have worked on the Gateway cleanup, we all have worked on that and we don't want to be in that situation again. You have the opportunity and the vision to maintain what we have now and hope you consider our options and work together to keep Toccoa Stephens County beautiful and keep it that way.

Mr. Bill Wheeler stated he is from the Georgia Baptist Conference Center and is representing the tourism industry that comes to Stephens County. We have over 25,000 people come into the county each year at the Conference Center; we have Camp Mikell and Campfire. We have a lot of folks coming in and we thank you for the work you do representing our county and you do a great job. It is not easy and we understand your efforts; look at this room and look out the windows, there is the beauty of creation available to you. Our two main feeder markets will be Greenville South Carolina and Atlanta Georgia; the kids and young adults that come up here are not used to this, it is an experience for them to come and enjoy the beauty of Stephens County. It is unique and we don't look like every other town. When you look up and see the blue skies it makes you have a better day, when you look and see billboards and see Café Risqué two miles next exit is this what we want people to look at? Why are there so many empty billboards in Stephens County could it be the advertising market is changing and billboards are becoming obsolete. Everybody in this room has a smart phone and uses that to search for a place to eat, or things to do; technology is replacing things and we are moving forward. Thank you for what you are doing on the sign ordinance, let's get it right. No one else spoke in favor or opposition of the ordinance.

Commissioner Scarborough stated we started working on signage a couple of years ago. We morphed from the consideration of billboards on the 17 Corridor to countywide sign ordinance. However, in doing that we steered away from the importance of what we initially started to keep that a scenic corridor. Commissioner Scarborough stated he would like to see us do both and separate out Hwy 17 from Franklin County line to Habersham County line as a separate address for an ordinance versus the overall sign ordinance.

Commissioner Scarborough stated he would recommend not allowing any new billboards on the corridor and adopt for the remainder of the sign ordinance something similar to the Union County sign ordinance which reduces those sizes and increases the distance between the sign. We need to relook at the ordinance doing those three things.

Pg. 3
April 11, 2017
Commissioner's Meeting

Chairman Whitlock stated she has looked at the Union County ordinance and one of the billboard signs that is up coming into Toccoa and that sign is 14x48 which would be 672 square feet and thought that would be more reasonable for Stephens County outside of Hwy 17 and change the distances between signs to one mile. Chairman Whitlock stated she was on board in creating the overlay district from Franklin County to Habersham line and no billboards on that highway. Commissioner Scarborough stated the billboard that you noted is larger than any allowed in the counties that we have looked at their ordinances. The square footage the largest one of any of the counties we have looked at is 600. Commissioner Ivester stated she would not mind seeing that number go down, for the height because our building height is 35 feet; maybe we should look at the sign height being no larger than 35 feet. Chairman Whitlock stated we could not exceed the building height in the zone. Attorney Brian Ranck asked if the consensus of the board is to cap the overall height not just the size of the billboard but including the base and everything; but capping the overall height in line with what your maximum building height is in the land use district. In the Commercial district it is 35 feet and there is a Commercial Industrial that is 50 feet. Do you want to track the height in the district or set a specific height? Mr. Ranck stated he would mention that the regulations the commissioners can do with regards to signs has to be content neutral; they can be with regards to size limitations, spacing along those lines but it can't regulate what is on the actual billboard; that is constitutional. Commissioner Scarborough stated he thought we should just make it 35 feet in height overall. Commissioner Ivester stated if we do the 288 square footage that is a 12x24 sign which is large enough. Chairman Whitlock stated the sign coming in to Stephens County that is in Habersham County that advertises Toccoa-Stephens County is 14x48 and is 672 square feet. Mr. Ranck asked if she knew what the overall height was if you include the base and everything. Chairman Whitlock stated she did not. It is interesting we have a billboard advertising our community that is that large. Commissioner Scarborough stated their (Habersham) ordinance is 200 square feet. Mr. Ranck stated maybe that was a non-conforming billboard that was in place before they adopted the ordinance. Commissioner Scarborough stated his suggestion this discussion would be addressing billboards and signs on roads other than 17; and Commissioner Scarborough stated he was still pushing or no new billboards on the 17 Corridor. Chairman Whitlock stated they all agree there will be no billboards on Hwy 17 on the Corridor. Mr. Ranck stated he understands the board wants the least amount of billboards on the 17 Corridor that you legally can allow, and if that answer is zero that is the desire of the board. No one spoke in opposition. Mr. Ranck closed the public hearing at 9:03 a.m.

1ST READING OF AMENDED LAND USE ORDINANCE

Mr. Ranck stated these changes add definitions that needed to be added to the original ordinance, and it also deals with the existing signs as defined structures and will be in our Sign Ordinance and treated separately. There is also agriculture related uses in the Agriculture Residential that needed cleaning up.

Mr. Ranck opened the public hearing for the amended Land Use Ordinance changes for anyone wishing to speak in favor of the changes. No one spoke in favor. Mr. Ranck opened the floor for anyone wishing to speak in opposition of the changes, no one spoke in opposition. Mr. Ranck closed the public hearing.

PUBLIC HEARING PLANNING AND ZONING

1. REZONING REQUEST FROM TIMMY THOMPSON, 3268 RIDGELAND ROAD, EASTANOLLEE, GEORGIA 30538. PARCEL 045 043. THE SUBJECT PROPERTY IS CURRENTLY ZONED AS AGRICULTURAL INTENSIVE. PROPOSED ACTION TO BE TAKEN IS TO REZONE AS AGRICULTURE RESIDENTIAL FOR ONLY 3.01 ACRES

Pg. 4
April 11, 2017
Commissioner's Meeting

Ms. Ayers stated Mr. Thompson has 20.29 in total lot size; this is for the purpose of refinancing his house and acreage at a lower rate of interest. This is not for the purpose of building. The request is not injurious to the neighborhood or adjacent land owners. The applicant was granted a variance at a prior meeting and was requested to follow up with a rezoning for the 3.01 acres; the proposal is in conformity. Ms. Ayers opened the floor for anyone wishing to speak in favor of the request; no one spoke in favor. Ms. Ayers opened the floor for anyone in opposition, no one spoke in opposition.

2. VARIANCE REQUEST FROM CROSSROADS MISSIONARY BAPTIST CHURCH, 1660 WHISPERING PINES DRIVE, TOCCOA, GEORGIA 30577. PARCEL 052A 119. THE SUBJECT PROPERTY IS CURRENTLY ZONED AS COMMERCIAL GENERAL. PROPOSED ACTION TO BE TAKEN IS SETBACK VARIANCES AND PLANTED BUFFER SETBACK VARIANCE

Ms. Ayers stated we will couple 2 & 3 together.

Ms. Ayers stated property is on 3.66 acres and is zoned Commercial General. The proposed variance is a 50' building setback variance on Whispering Pines Road and a 40' building setback variance on Pine Tree Road and a 30' variance for combined setback buffer adjacent to the residential property parcel 052A-117. This is to allow them to build a multi-purpose Family Life Center on the same lot as the church. The layout has been presented in its best location considering the size and shape of the property and in order to remain on the same property as the church. There would be a hardship caused if the owner had to purchase another piece of property for this building. The variance would not be injurious to the neighborhood or general welfare of the adjacent landowners. The church has deeded records dating 1944, 1966 to 1972. The variance proposal is in conformity with the policy and intent.

3. VARIANCE REQUEST FROM CROSSROADS MISSIONARY BAPTIST CHURCH, 1660 WHISPERING PINES DRIVE, TOCCOA, GEORGIA 30577. PARCEL 052A 119. THE SUBJECT PROPERTY IS CURRENTLY ZONED AS COMMERCIAL GENERAL. PROPOSED ACTION TO BE TAKEN IS VARIANCE TO ALLOW ACCESSORY BUILDING TO BE LARGER THAN EXISTING PRINCIPAL BUILDING

Ms. Ayers stated the existing church is 2,400 square feet and the proposed accessory building is 13,424 square feet. The variance request will allow the building of a multi-purpose family life center on the same lot as the church. It is not unusual for the family life center to exceed the square footage of the

church. The layout has been presented for the best location on the property. We received a letter from the property owner where the buffer will be and they do not have a problem with the family life center being built there. Ms. Ayers opened the floor for anyone wishing to speak in favor of the request.

Mr. Alvin Brinkley stated he was a deacon at Crossroads Church. He asked the board to give them favoritism, this is not a selfish thing just for Crossroads, and it is a community thing. We have plans to reach out to the youth in the community not just Crossroads youth. We have programs for elders of the community not just Crossroads. If anyone has ever driven by our church we keep it really clean and manicured, if allowed to build this family life center it will be something nice and will contribute to the beauty of the neighborhood.

No one else spoke in favor. Ms. Ayers opened the floor for anyone wishing to speak in opposition, no one spoke in opposition.

4. **CONDITIONAL USE REQUEST FROM UNITED RENEWABLE ENERGY, LLC, 1133 TURNER ROAD EASTANOLLEE, GA 30538. PARCEL 044 083 & 044 082. THE SUBJECT PROPERTY IS CURRENTLY ZONED AS COMMERCIAL INDUSTRIAL. PROPOSED REQUEST IS TO CONSTRUCT ANOTHER SOLAR FARM FOR GENERATION OF ELECTRICITY**

Pg. 5
April 11, 2017
Commissioner's Meeting

Ms. Ayers stated we will take number 4 and 5 together as it is also the same property owner.

The property is 10.2 acres for the first parcel and 14.14 acres for the second parcel. The solar farm is not a permitted use in the Land Use ordinance. The industrial use requested should not be dangerous, offensive, unhealthy or detrimental to the community. However, there is an open nuisance complaint from the adjacent property owner which was contacted and the response was that his attorney is handling this case. It was requested at the Planning Commission meeting on 4/5/16 and the Stephens County Board of Commissioners meeting on 4/12/16 to correct this issue. The property is physically suited for development. The recommendation of the Planning Commission was to postpone until the previous issue of the property owner complaint has been resolved.

5. **VARIANCE REQUEST FROM UNITED RENEWABLE ENERGY, LLC, 1133 TURNER RD, EASTANOLLEE, GEORGIA 30538. PARCEL 044 083 & 044 082. THE SUBJECT PROPERTY IS CURRENTLY ZONED AS COMMERCIAL INDUSTRIAL. PROPOSED ACTION TO BE TAKEN IS SETBACK LESS THAN REQUIRED FOR CI BORDERING RESIDENTIAL DISTRICT**

This request is to have a proposed variance to construct another solar farm and field within the required 125 foot buffer but no closer than 30 feet from the property line resulting in a 50 foot variance. The property value should not diminish; the property is physically suitable for the variance request. The variance proposal is in conformity with the policy and intent of the adopted plan. The buffer requirement on a prior variance request for the Planning Commission on 3/3/15 and the Stephens County Board of Commissioners on 3/10/15 have not been met. The recommendation from the Planning Commission was to postpone until the previous variance request for buffers have been met. Bill Silva and Amber Penland with United Renewable Energy and stated she is happy to say they have another opportunity to fit one more solar farm on this parcel on Turner Road. The project we are looking to complete will be started this summer and completed this fall. It is about half the size of the project that finished construction at the end of 2016, for us that is 500 KW in terms of the project size. We are looking to leave a border on the project of mature trees along Turner Road that are already established of about 20 feet. Across the street from this project is a warehouse and on the northern side there is a residential property with a small pasture attached to it and we will be about 50 feet

from the property line. We feel this use is in conjunction and goes along with the other uses on the parcel, we do not feel there will be any negative influence to any of the bordering land owners or the community. As always we are very excited about the project and feel it will be positive for the community, it will have one more opportunity for solar development for local businesses in terms of the civil work that needs to occur on the property, in terms of the fence that will be constructed, in terms of a portion of the labor force. We now have a small labor force in Stephens County that is experienced and trained in installing solar panels and we are excited to work with that again. As well as the local landscaping that does all of our mowing, vegetation and watering for us. We also would like to acknowledge that this is one more positive addition to the tax base for Stephens County, we feel that overall without utilizing typical resources such as schools, roads and other community facilities we are adding about \$4 million to the tax base. We have had Christen Collier come up and speak in favor of our projects previously to talk about how this is a benefit for all of the homeowners and landowners in the area. We look forward to working with you again. Ms. Penland stated she would like to take a moment and address some of the concerns that were brought up in regards to previous projects that they have completed. The easiest one to talk about is the Rose Lane project, when we completed the Rose Lane project we were asked to provide a vegetative buffer. There was an existing mature buffer left and we have space for 6 to 8 trees that we committed to have up to 10 feet within two years, that two years would be in August; that was when the project was completed. The first set of trees we planted only about half of them survived in the drought that we had two years ago. We then went ahead and planted another row last year, but to be honest they are just not growing as fast as we expected. We do have a local company that comes and waters them on a regular basis and feel they are relatively healthy and they did go along with our civil plan in terms of the different trees that we should choose from for having year-

Pg. 6
April 11, 2017
Commissioner's Meeting

round vegetation but they are just growing too slow. Ms. Penland stated she felt like they had definitely been cooperative in meeting all the needs of the community and will continue to be a responsive neighbor. Ms. Penland stated she feels like that is something easy to take care of. We are working again with Shook's a local landscape company and feel that well prior to that August deadline the easiest solution is to plant trees that are more established, we are looking to put something in that is eight to ten feet to start with so that we will go ahead and meet that request. We had hoped these other ones would survive and grow faster than they did they are well maintained, weed whacked around the area, they have proper mulch but it is not happening fast enough; we are going to have to go ahead and put mature trees in. Ms. Penland stated in regards to the comments that there is a nuisance citation, she stated she has a stack of correspondence but would like to start with the understanding that that project was constructed on Turner Road in 2014. At the time there was no zoning as you know, and the owner of the project, the owner of the equipment, the owner of the fence is a company called Sun Edison. You have all heard me say this before, following our meetings last year in April, Ms. Penland forwarded over to Sun Edison and connected them together with Stephens County and provided them with all the proper contact information to get in touch with both the commissioners and the administrator and there was direct communication in regards to the complaint. At that point there was a citation issued and the owners of the facility constructed a screen on the fence and planted 40 Leyland Cypress trees which they felt would be a long-term solution and create a barrier. She stated it was her understanding that the health of those trees has not survived. In terms of there being an open nuisance complaint to her understanding that is not accurate. Ms. Penland stated she believed that citation was pulled last summer and she only has email correspondence and does not have an official notification and has an email showing that citation was pulled by July of last year. It was approximate 10 week turnaround time from when we were made aware of the complaint to when the citation was pulled. If there is an official citation as a concerned neighbor and as the land owner of that facility, if there is an official complaint this is the actual problem which has been identified by whoever the appropriate party is

and this is the requested option then we can move forward with enforcing that the owner of the equipment, our tenant complies by that and if they don't then we can go ahead and step in for further action. As it stands, we have not been asked in any form other than a discussion through a planning and zoning meeting that there is further action required. Ms. Penland stated she knew that she followed up with the community, specifically with Stephens County last year a number of times and knew that they were hoping to put one more project on the parcel and she is happy to say that they are able to do so with your approval if we can get to that point. Again at that point she asked a number of times is any further action required by United Renewable Energy and have received no response. Ms. Penland stated she does not believe there is an open citation and believes that was pulled. Ms. Penland stated she would like to mention as well, she did receive correspondence from legal representation from the homeowner Mr. Shirley in January this year asking if the solar panels were UL listed, UL rated which she was not sure why that specific specification of the solar panels. With any potential complaints we forwarded that question over to the equipment owner so they could address the question about their own solar panels and they did so. We had an inkling that there was still an open concern, although they believed as of the summer it had been taken care of. Ms. Penland stated they reached out to Mr. Shirley directly and they had not heard anything back from him until the meeting last week. We reached out to him by phone and with a letter to make sure that our contact information was still available and that if there was an open concern that we could address it and perhaps the appropriate platform and manner. Of course if there is an open citation or something the community actually has open on the books, we would assume we would be given formal notice of that so we could respond accordingly. Commissioner Bell asked Marshall Tom Bennett if the citation had been pulled; Mr. Bennett stated yes it was withdrawn at the petitioner's request giving them a chance to correct the problem. Mr. Bill Silva stated he is the CEO of United Renewable Energy; we have been working with the Development Authority for about four years in developing and building solar plants in the area, as Amber mention has brought over \$4 million investment to the area. Over \$100,000 of direct support to Stephens County Board of Education as well in a time of tight budgets; we want to do everything we can to be a good neighbor. We bought the

Pg. 7
April 11, 2017
Commissioner's Meeting

property from the Development Authority, we are land owners here we are committed to the area; we would like to develop more in a responsible way. We just want to know the targets we need to hit we have always been responsive and hopefully the Development Authority would back us up on that. Ms. Penland asked if anyone had any questions about the current project, in addition my understanding is if there is a problem with a different project that was constructed years ago there is an appropriate form for those items to be addressed. Ms. Penland stated she has a map that does show the distance from this property to any other residents, she feels it is an appropriate use and is the best use of the property for the community and the only way to get something back from land that is previously unused. Commissioner London stated he did have one comment, he appreciates what you are doing as far as our community; we do have a resident that has suffered from it. Commissioner London stated he has personally been to his house and his vinyl siding is bubbled and you can stand in his yard and feel the difference of the heat from the reflection of the panels. If you get those things taken care of with Mr. Shirley and we'll see where it goes from there. Ms. Penland stated she had been to his house and she understands that. She has heard complaints along the lines of having to run an air conditioner, Ms. Penland stated she doesn't have any evidence of that; and can't say whether there was air conditioner before or after and not sure what she is supposed to do about that. If we can assist we definitely will. The owners of the equipment put up a screen on the fence and planted trees and we thought perhaps that would be the answer; if there is still an ongoing concern then we will be happy to address that. We need to understand what the exact problem is and what the exact course of action that is being requested. Commissioner Bell stated you have mentioned yourself two problems that we have got. The trees have died and nobody has taken action to replant those trees, Commissioner Bell stated he had a

problem with that first of all. Commissioner Bell stated he had a problem with the vegetation has not been done correctly on Rose Lane if you are going to do something standby it, especially if you say you are going to do it back in 2016. Commissioner Bell stated he had been over to Mr. Shirley's house as well and it is not right for somebody to be done the way that man has been done. Commissioner London stated the slats in the fence didn't work before or after. Mr. Silva stated very respectfully, we don't own the equipment we are the original developer and land owner. They have a long-term lease, we don't have influence over what they do; much like if you rent property to a tenant and they don't have a complaint on that noisy dog that is barking in the back there is nothing you can really do as the landowner but be sympathetic to the neighbors. We are open to solutions and working with Mr. Shirley. Mr. Silva stated he called Mr. Shirley at the end of January after we received a letter from his attorney saying this UL question that you have on the panels to address your issues we want to help you, what can we do to help you with your problem. Mr. Shirley told Mr. Silva that his attorney was handling. Mr. Silva said that's great I can communicate with the owners of the panel not us; he said talk to my attorney. Mr. Silva stated he spoke with Mr. Cornwell and he was interested in the UL Listing of the panels and we are trying to find a solution to the problem, if we can sit down and talk we can find all kinds things to solve this problem. Commissioner Bell stated that would be a good idea. Attorney Brian Ranck stated one comment he would like to make, the board is taking action with regards to the request from United Renewable Resources. The county would not have any recourse against your tenant. You hold title to the property, correct. Mr. Silva stated we do. Mr. Ranck stated you are the applicant in this variance request and the conditional use request and the county is dealing directly with United Renewable. The tenant issue would be an issue between ya'll and your tenant the board has to address this with you as the applicant and landowner there is nothing the county can do with regard to your tenant so y'all need to straighten that out and the board can get their comfort level with your request. Mr. Ranck stated he wanted to make that clear, there is a push off on the tenant and just want to make sure my client and the board sitting here today understands that we don't have any relations with that tenant; ya'll are the applicant they are considering your application not your tenants application. Mr. Silva stated exactly. We don't have that, that is what we have been actually looking for is official communication of what the problem is and we haven't had any. Mr. Silva stated we haven't had any other than we had that complaint that was withdrawn, we don't have an official complaint out there that says this is an issue with the property. We just need to work with the land owner directly to solve the problem. Commissioner Scarborough stated

Pg. 8
April 11, 2017
Commissioner's Meeting

you need to come away from today knowing that we do have a problem and if you need that in writing, our administrator or attorney can do that and you could use that as leverage against your tenant is that what you're saying you need from us. Mr. Silva stated when we were asked to do something we have been responsive and made changes and we've communicated that to the county and landowner to ask if it was sufficient what we had done and we have not gotten a response from either. Commissioner Scarborough stated we notice we still have a problem and vegetation may not be the answer; there may be three or four panels causing all the problems and maybe they could identify which panels are causing all the problems and readjust or remove those panels because obviously there is a problem that hasn't been corrected and it could affect the vote because of what has transpired with the Planning Commission. You need to let us know exactly if we need to put it in writing that there is still a problem we will. Mr. Silva stated we are going to address that problem specifically with that plant that was built four years ago; this one is a good 250 feet north of that location in some degree and unrelated matter, we would like to develop more projects. There is a new program coming up with Georgia Power we would like to develop in the area. We would like to please Mr. Shirley and for him to be pleased with plant that is already there and with the situation will do everything we can to influence that. The complaint we will address it but it is a moving target. Chairman Whitlock stated that she would be concerned that the mature trees may not survive, if the solar panels have

melted and bubbled up his vinyl siding, it's like a magnifying glass over there what if it starts a fire. Mr. Silva stated he had not seen it himself and not certain if the siding is bubbled because of the solar panels or some other reason but we are happy to talk to him and find a solution he will be happy with. Mr. Ranck stated he would make an additional comment while we are having this line of discussion under section 1807 which has four criteria for granting or denying variances under the land-use ordinance one of those criteria is that it not be injurious to the neighboring land owners. That is what the board's question gets down to is all four of these criteria in 1807 must be met or they must deny a variance request, this does not go to your conditional use request, but injury to adjoining landowner is a requirement that has to be addressed in the land use ordinance and a criteria they have to take up in making their decision today. Mr. Silva stated since this plant was built there is new verbiage that requires a vegetative buffer; this new plant would be fundamentally different than the plant that was built when there was no zoning ordinance so we would not expect to have any adverse effect on neighbors at all. Chairman Whitlock stated she appreciates progress and solar panels and what you are doing and what you have added to the community. It is a fact that we have a citizen that has problems with the solar panels and is caused him some damages and we realize that y'all have tried to fix it, but it needs to be fixed somehow somehow so that we can move forward because we would like to move forward with more solar panels and the Georgia Power project. However, we can't discount Mr. Shirley's problems. Mr. Silva stated he never has and they have always been concerned. Mr. Silva stated we they would have weekly meetings and talk about it and he would ask how Mr. Shirley was doing and he was told they haven't heard from him or the county. Ms. Penland stated after our last conversation it is important for her to convey this is important to her that they are a good neighbor. We sent direct communication last summer saying is there any further action needed there was no request for further action, if we had known that we would have spent more time last year pushing to resolve the issue. We knew the trees were only going to be a buffer we didn't plant them the owner of the solar farm planted them but we knew that was long-term by the height of them and we believed the covering on the fence was sufficient and we didn't receive any information till last week that it was not satisfactory. Ms. Penland stated she would like to explain there was a point a-b in our direct communication, there was no answer from the county or Mr. Shirley for us to have these answers. Ms. Ayers asked if anyone else would like to speak in favor of the request, no one else spoke in favor. Ms. Ayers opened the floor for anyone wishing to speak in opposition of the request.

Attorney Jim Cornwell stated what he has heard today is, it is Mr. Shirley's fault because he didn't do something or it is the tenants fault because they didn't do something; it is not our fault and that is just not the truth. If you have been to that man's house you will see the vinyl on his house that is buckling; there is so much heat coming from the solar farm and the notion that you could grow trees as a buffer between that

Pg. 9
April 11, 2017
Commissioner's Meeting

solar farm and his house is ludicrous. You can't do it. They tried to put up a fence and it fell down, they tried to grow trees that they couldn't grow but it's not their fault; it's the tenants fault, it's Sun Edison's fault. That is not taking responsibility for what you have done, that is not being a good citizen and those folks have not even been out there to see it. Mr. Cornwell stated now they want to do this again without any environmental study; there is so much heat coming off that farm it is dangerous to people, it is dangerous to animals, it's dangerous to the environment and they don't care. You know why, follow the money that's what this is about; all the money. They have a tenant Sun Edison who wants to do this again and rape in pilferage the land that man has owned for 42 years; that is his home place and they have destroyed his quality of life by doing what they've done and they're ready to do it again all in the name of the profit. We are better than that in this county, we are more than money and we are about taking care of our own; Mr. Cornwell stated he would say that because he means that. We take care of our own in this community; it has to be a big business like Sun Edison that's just not right. You are the people that can put a stop to it. As Mr. Ranck said is injurious to our neighbor, in the ordinance how much more injurious can it be if the vinyl on

your house is buckling and if you're living in the house and taking the glare off of that. There is only two ways to solve the problem; one they destroy the solar farm and they are not going to do that, not only that it's too much money involved; two will be to pay him and buy his property so he can go away. For them to say we have not communicated with them and for them to say they have not been to the property does not sit right with me when they keep blaming Sun Edison. We contacted them they say it is Sun Edison; as Mr. Ranck said they are the applicant and it is their problem it is not Sun Edison's problem. Ms. Whitlock where do you think this is going, probably across the street to the courthouse. Mr. Cornwell stated he thinks you understand that none of you would want to live in these conditions, it's hard out there; he can't even watch TV. Thank you for going out there, those of you who went out and understand the problem; you can't grow trees and you can't maintain a fence but it's not your problem, then we have two Superior Court Judges that can find out the truth. Thank you.

Mr. Glen Shirley stated he would like for it to be resolved. Ms. Ayers asked if anyone else wanted to speak in opposition. No one else spoke.

6. CONDITIONAL USE REQUEST FROM BRYANT HOWE, 960 WALKER ROAD, TOCCOA, GA 30577. PARCEL 022B 003. THE SUBJECT PROPERTY IS CURRENTLY ZONED AS RESIDENTIAL SINGLE FAMILY DISTRICT. PROPOSED ACTION TO BE TAKEN IS TO HAVE A HOME BASED BEAUTY SALON BUSINESS

This is on 4.13 acres surrounded by residential single family districts and an agricultural residential district. The analysis is the request is to add an accessory building for a home occupation as a hair salon and it does meet all the requirements of the Stephens County Land Use Regulation ordinance section 1411 the conditional use request falls under section 802.1. The use requested should not be dangerous, offensive, unhealthy or detrimental to the community. The property is suitable for this request under the proposed land use district. The Stephens County Planning Commission approved this as their recommendation; however, the lot, the grading and the outside is not pleasant and you have some photos and the Planning Commission would like to see that get cleaned up. Ms. Ayers asked if anyone would like to speak in favor of the request. Ms. Candace Smith stated she would like for the board to pass this. She had a salon on 17 and had to move her place because her grandfather had a stroke and her grandmother has Alzheimer's and he is not able to take care of her. She would like to have her business there so that she can still work and try to take care of them. Thank you.

Ms. Ayers asked if anyone else would like to speak in favor of the request, no one else spoke in favor. Ms. Ayers asked if anyone would like to speak in opposition of the request.

Mr. James Vickery stated he would like to state, you saw the photographs it's about being a good steward of your property. Mr. Vickery stated he lives right across the road and this building is close to the road as legally permissible and he knows they've met all the requirements but when did they meet the requirements. When he built his garage he bought the building permit before. Ms. Ayers stated here is how the building

Pg. 10
April 11, 2017
Commissioner's Meeting

got there, they did not receive their building permit and they came to have their electricity turned on and we had to put a stop worker order on the property. The building inspector did have to go and asked them to move the building back because it did not meet the setback requirements; so basically they had to move the building back. There is no more building supposed to be done after the stop work order was placed on the property. Ms. Ayers stated when she said she meets the requirements of doing home based business in each of the sections of the land use ordinance such as not storing material outside, only two patrons at a time; however, this is a conditional use so you can put conditions on it but this is one of the reasons it looks like it does today is because they started the building without getting a building permit. Mr. Vickery stated it is a residential neighborhood and how are they going to park; in the past when they were working on it they

were parking on the side of the road, in the road and that is not a good harbinger of what is going to happen later on. He stated when he opens his front door that is what he sees. Mr. Vickery stated he don't have a problem with private property but he does have a problem with being a good steward and the only reason he was here today is because this past Sunday they were out burning trash right across from his house smoke and ashes coming in, is that a harbinger of what can happen in the future. Ms. Ayers asked if anyone else would like to speak in opposition of this request. No one else spoke in opposition.

Commissioner London asked Ms. Smith if she was planning on doing any landscaping and a driveway into the property. Ms. Smith stated yes it has taken a little longer because they had to move the building, in order to move the building we were required to dig eight foot footings and pour concrete. It has taken longer than we expected my brother works on 24 off three days and he is doing all the work. Ms. Smith stated she is taking care of her grandmother and in addition she has five kids. Commissioner Scarborough asked if it was going to have a graveled parking. Ms. Smith stated yes we are going to gravel the drive for parking; plant seed and throw hay. Commissioner Scarborough asked how many operators would be working with her and she said just herself. Mr. Ranck stated under section 1411 in the land use it can only be residents of the dwelling and one person not related by blood or marriage.

7. CONDITIONAL USE REQUEST FROM DUONG VU, 3435 DAVIS ROAD, TOCCOA, GA 30577. PARCEL 060 053. THE SUBJECT PROPERTY IS CURRENTLY ZONED AS AGRICULTURE INTENSIVE. PROPOSED REQUEST IS TO CONSTRUCT NEW POULTRY HOUSE FOR BROILERS

Ms. Ayers stated this parcel is 63.2 acres the current use of the parcel is a residence. It is zoned agriculture intensive and surrounded by Agriculture Intensive, Agriculture Residential and Residential Single. The analysis is to construct ten broiler houses on 63.2 acres of land where all minimum district requirements are met. The property is near to other property containing chicken houses. Property is an agricultural mixed use environment. The additional house will have an increase of truck traffic on Davis Rd. Davis Road is a paved road of 4.24 miles in length and approximately 17 to 18 feet in width and is maintained by the county authority. Davis Road was rated by the county to be a number two on the listing of poor roads; there are five ratings with excellent being the best and failing being the worst. This road has been approved for 2017 crack relief and 110 pounds of leveling to be followed with the topping the next year. The use requested should not be dangerous, offensive, unhealthy or detrimental to the community. The property is physically suitable for this request and the request is in conformity with the policy intent of the adopted plan. The recommendation from the Planning Commission is to approve the request. In your agenda packet you will find an engineering drawing and the layout of this property and how they are meeting all the setback requirements. You will also find a document on the sale of the property because on the Tax Assessors website it was not in this person's name.

Ms. Ayers opened the floor for anyone wishing to speak in favor of the request.

Mr. Jason Smith, Civil Engineer representing the client for this piece of property. This piece of property is zoned Agricultural Intensive and we have met all the required setbacks. The adjacent properties are vacant on this, there are two large tracts adjacent to the property; the other has frontage on Davis Road. We have also studied this site, we have done grading, drainage and erosion control. We have checked for presence of

Pg. 11
April 11, 2017
Commissioner's Meeting

any state waters or any kind of environmental issues. There is a spring head that starts on this property and leads into little Eastanollee Creek. Little Eastanollee Creek is one of the creeks the borders the property, we have met all the state required setbacks and buffers for this and also looked at slopes and where they will finish up in relation to any buffers or environmental concerns. We have also submitted the plans to the State

and Georgia EPD and they have had no comments on these plans, these were submitted back in December or January. Someone in audience asked the size of the chicken houses Mr. Smith stated they were 54 x 500 Mr. Harry Collier stated he has known Tony Vu for a long time. He is a fine citizen and he is a hard worker, he is not a slacker and he will take care of what is his. He has met all the requirements. Thank you.

Ms. Ayers asked if anyone else would like to speak in favor of this request. No one else spoke in favor.

Ms. Ayers stated before getting to the opposition one thing we noticed at our last meeting there was a bleed over between the Davis Road and Yow Mill Road. You are more than welcome to go ahead and speak on this one even though it bled into the next one, so we will do the same thing here. Ms. Ayers opened the floor for anyone wanting to speak in opposition of this request.

Mr. Leonard Sheriff - Mr. Sheriff stated he has no animosity toward against any poultry farmer they are welcome and needed with some reservations. We are talking about this project over on Davis Rd., Davis Road property backs up to Little Eastanollee Creek and flows into Big Eastanollee Creek and through his property to Lake Hartwell. He stated he has a cattle farm upstream from this property; all farms are in conservation use dedicated to growing grass, hay and trees. Mr. Sheriff stated he has looked at this and thought about this for considerable time, the poultry houses in the past were 30 x 300; Mr. Sheriff stated he has a brother-in-law that sent two girls to college with money from three poultry houses. Those farms were 30x300 that is 9000 square feet; now the poultry houses proposing or 54 x 500 that is 27,000 square feet and three times the size of the previous poultry houses on this property on Davis Road. It is intensive agriculture that is not a problem the problem is oversaturated areas with too many poultry houses. Mr. Sheriff stated he has no problem with somebody building two to four poultry houses that is an income but he cannot understand and approve more than four poultry houses on this property on Davis Road. Thank you.

Ms. Sharon Smith Pitts stated she lives at 1377 S. yow Mill Road. Our property borders on one side Davis Road and the other side we face Yow Mill Road. We are sandwiched between the two projects which consist of 20 new additional chicken houses; there are already 17 chicken houses on this road. These 37 chicken houses will be within a 1 mile radius. Ms. Pitts stated her father is Carl Smith whom we live beside; he has five separate parcels close together, which his main residence is over 30 acres. This land has been in our family for over 100 years and we have seen evidence of the property values declining. Many of my neighbors have breathing issues from the horrible effects of the odor permeating from the poultry houses; the smell will take your breath away. After we left the planning commission meeting last week and dropped my dad off at his home as we opened the car door the smell overcame all of us; Ms. Smith stated she can't imagine what their lives will be like with 20 more. What quality of life will we have? What spoke volumes to her is our local President and Vice President of Georgia Farm Bureau opposed both of these projects if the leaders of farming and agriculture or against these additional 20 houses for a total of 37 houses within a one mile radius then we must have a limit. In closing Ms. Pitts stated she would like to remind you that our property values will plummet, our quality of life will be diminished, our roads are already narrow and in poor condition, flies and bugs and rodents all increased significantly with each chicken house. Thank you.

Ms. Connie Tabor stated she resides at 40 Pauline St. She is here on behalf of her father who lives at 1239 S. Yow Mill Road; he owns five homes there and 40 acres. It is been in our family for over one hundred years. We are opposed to it and know that poultry houses continue to be an issue for Stephens County. The Planning Commission has recommended approval; it is up to the Stephens County Commission at this point. It may be worth considering looking at your ordinance again and seeing if maybe there needs to be stronger requirements as to how many poultry houses can be on an acre of land; especially if they're doubling in size. It's difficult to sit on the porch when the odor so strong. My dad is an outside person and it's difficult for him to be outside, he has ATV's it is recreational in the country and we don't have that in the City. We would just ask that you consider denying this request. Thank you.

Ms. Teresa Martin stated she lives at 1093 S. Yow Mill Road and has lived there for 12 years. For about six years she has been in touch with Columbia Farms about these two farms that are on South Yow Mill Road. You cannot go outside the smell is horrible for several days, when it doesn't stink so bad Columbia Farms tells me that was the smell of money. You cannot go outside and work in your yards. They told me it was the owner's discretion at that time to clean the houses out, a week or two after she spoke with Columbia Farms we saw trucks going in and out cleaning out those chicken houses. The stench is even worse it's up to the owners to clean out and understand that they don't pay to have the litter removed as often as they should; when the litter is spread there is dead chicken parts in it. My dog brought a foot up to my back porch, not sure if that's not what my dog died of cancer. We don't feel it is safe; it has to be violating the clean air act. We are watching our values go down because of these farms. We tried to talk to Mr. Wilkinson he told me he took it to heart about the situation urged me to call Columbia Farms; Columbia Farms will give me the runaround again. How the signs got up at the trailers we have no idea, a few weeks ago she called Representative Wilkinson again this time they asked me to email him detailed information and get it to him. All of a sudden there are signs that there is going to be a public meeting. We are not trying to start a war with these people, we want to be able to go outside we have older people that have breathing problems. Ms. Martin stated she can't imagine what goes into the ground, she has a well and is scared to have it tested; Mr. Wilkinson urged her to have it tested. She stated she doesn't use it in the house. We hope that you will reconsider allowing these chicken houses. There are the more restrictions put on the owners and they are making a lot of money; Columbia farms has their self protected, the owners maintain the chicken houses they are making the money to work them. They need to be safe and not cause grief in the community; we don't want to watch our land value go down. Thank you

Ms. Kim Babbitt stated she lives on Yow Mill Road. We all know how important our sleep and our safety is and that brings us to our psychological needs. If our psychological needs are not met we cannot function; it is a fact, it is not a concept it is a proven fact. We have to have sleep. When these chicken houses the trucks come up and down our road and my family stays awake we cannot sleep. The alarms go off during the night and that violates my child's sleep and how they perform in school and their safety is also being violated because when the trucks are coming up and down the road my children are at risk of being injured by one of these chicken trucks. They have run me off the road, our road is very narrow and she worries about her children's safety needs and their psychological needs. Ms. Babbitt stated she is against the poultry houses. We also have the coyote population is out of control they are over populated now. We all know about the rat problem that happened on 145 and Ridge Road that is my major concern, my child's academic, their safety, the coyotes and the rat population. Thank you for your time.

Ms. Ayers asked if anyone else would like to speak in opposition of the request. No one else spoke in opposition.

8. **CONDITIONAL USE REQUEST FROM CALVIN DUONG, 775 S. YOW MILL ROAD, TOCCOA, GA 30577. PARCEL 060 109. THE SUBJECT PROPERTY IS CURRENTLY ZONED AS AGRICULTURE INTENSIVE. PROPOSED REQUEST IS TO CONSTRUCT NEW POULTRY HOUSE FOR BROILERS**

Ms. Ayers stated this is 71.21 acres and is currently vacant. It is zoned Agriculture Intensive. The surrounding land use is Agriculture Intensive, Commercial Industrial, Agriculture Residential and Residential Single. The analysis is to construct 10 new broiler houses on 71.21 acres of land where all our minimum requirements are met. It is adjacent to other properties containing chicken houses. It is in an agriculture mixed-use environment. The additional houses will have an increase of truck traffic on South Yow Mill Rd. South Yow Mill Road is a paved road approximately 2.22 miles in length and approximately 17 to 18 feet in width. It is maintained by the County authority. South Yow Mill Road was rated by the County to be a number six on the listing of poor roads. There are five ratings with excellent being the best and failing being the worst. This road has not been chosen in the past few years for significant work but is being considered. It is a good candidate for widening need. The road is currently used for entrance to other

poultry farms. This request should not be dangerous, unhealthy, or detrimental to the community. The property is physically suitable for this request and in conformity with the policy and intent of the adopted plan. You will find some property owner information where property owner has changed hands. The information was not available on the Tax Assessors website. Ms. Ayers stated we will open the floor for anyone wishing to speak in favor of the South Yow Mill Road.

Mr. Jason Smith, Civil Engineer for this project. We have done the environmental studies, slope studies, grading and drainage studies of this property. Both owners have done their homework on these properties. This property is in the Agriculture Intensive District which according to the zoning ordinance is intended for the intensive district by means by which individual and family farm corporations involved in intensive large scale farming operations can be provided protection. Food crops, fiber crops, poultry and livestock farms are a major component of the agriculture economic base in Stephens County and are worthy of special protection. Use of land district may result in odors, noise, dust or other effects that may not be compatible with residential, commercial or industrial uses. It is also the intent of this district to permit home business uses which are related to agricultural operations. These properties had they not met all zoning conditions or anything that would help them do this he would not have advised them at that time to proceed with this project. They are zoned correctly, we meet all the setbacks, this property has 300 foot setbacks between it because there are residential properties in the vicinity of this property. Any property that has a home on it we have to stay within 300 feet of that property and all fans have to be 600 feet off of the property of an inhabitable dwelling. The size of the chicken houses there are no 30 x 300 chicken houses anymore the standard in the industry is at least 50 foot wide some were typically 54 foot wide. The size of these poultry houses are not out of character with anything that's being built in the poultry industry as it stands today. Ms. Connie Tabor asked how many houses are you proposing to build and how many existing houses are on this property. Mr. Smith stated there are ten that we are building; there are no other poultry houses on this parcel. However, there are six houses on another parcel in front of it on Yow Mill Road. Chairman Whitlock asked when you did your study who did the studies. Mr. Smith stated he did. Chairman Whitlock asked if he included the saturation in that area for that many chicken houses. Mr. Smith stated there is nothing in the current zoning regulations that concern saturation or the State. Chairman Whitlock stated just because it isn't in there doesn't mean it's not a concern and understand that they had met all their setbacks and all the requirements but you still have to think about that is a lot of chickens in a certain area; is that going to be harmful does it make a difference. Mr. Smith stated there have been no studies that say they are harmful. Chairman Whitlock asked if he had done numerous houses throughout the state have you ever done a farm similar to the one on Yow Mill within this amount of space. Mr. Smith stated numerous times. Chairman Whitlock asked where and if there were any issues with that. Mr. Smith stated yes ma'am he has had multiple times one after another come up with certain areas, those areas that have had no complaints; they were in Franklin County, Hart County, Habersham County, Anderson County, South Carolina, Oconee County South Carolina. Chairman Whitlock asked if one of the ones were similar in size within the amount of space. Mr. Smith stated most of the current ones are between six and 10 houses that is the average depending on the size, land shape it can range anywhere from 30 to 300 acres. Mr. Smith stated he has not had a farm less than four houses in a long time. Ms. Connie Tabor asked Mr. Smith about the one mile radius of farms he had done and a similar density on farms. Mr. Smith stated he would have to check on those items. Ms. Tabor stated she realized he was not prepared to answer those questions today. Chairman Whitlock thanked Mr. Smith.

Ms. Ayers asked if anyone else would like to speak in favor of the request. No one else spoke in favor.

Ms. Ayers asked if anyone would like to speak in opposition of the request.

Ms. Donna Little stated she was speaking on behalf of her father. We moved here in the 80's. We love where we are, the thing is we have to deal with this dust when they are spreading the litter, it is directly

across from my house and we have to breathe it. You can't sit on the porch because of the stench and the smell we have enough chicken houses where we are and we do not need any more. The coyotes are bad and the smell that it's bringing you cannot sit outside and enjoy the country. Trucks are flying up and down the road and we have enough. Thank you.

Pg. 14
April 11, 2017
Commissioner's Meeting

Mr. Jackie Lecroy stated he lives at 1047 S. Yow Mill Rd. He stated his property runs all the way down the creek. Mr. Lecroy stated he is for the farmers we have enough chicken houses. Mr. Lecroy stated he is here for his family; he kept his family here in Stephens County and has divided his land for his kids and grandkids. Mr. Lecroy stated he has a standing contract with the bug people. We run our air conditioner and can never open the windows. They catch chickens day and night, we hear the trucks all night it's not too bad but if we get more chicken houses it will be bad. We already have 20 or 30 chicken houses in the holler; we have been there 58 years. The road shoulders are tore up and the road is not made for heavy trucks. Mr. Lecroy stated he had to sweep his shop it was full of dust, it is galvanized and he has to paint it every three years. The blowers are pointed right toward his house and is closer than the owners. We would like for you to reconsider these new houses.

Mr. Mike Cothran stated he lives at 1176 S. Yow Mill Road and is opposed to these chicken houses being constructed here. He would also like to speak on the Davis Road. His property is located between these two locations; his main concerns are safety and quality of life. The growth of our area has really grown and he is definitely for the farmers but we have to have a balance between farm life and residential life. Just within a few short distance we have a Confidence Methodist Church, North Georgia Tech which is a great asset to our community; we have the new Haystone Brady Industrial Park with three industries there now. In this area there are a lot of people that has breathing issues. My mother can see these houses from where she lives. In the existing area we already have 17 houses, they may not be under the same name but at one time this farm was all in one name. The proposed farms are in proximity to each other on Davis Road they are probably less than a mile with an aerial view from each other. We strongly ask you to consider the quality of life, the property values of the people that are here. Thank you. Mr. Charles Morgan 477 S. Yow Mill Road stated he was on this road before any chicken house was ever thought of. He has tolerated this; it is a great community. These are my neighbors and my friends. Mr. Morgan stated he was not against these people but we got chicken houses on top of chicken houses and are facing 12 more. He asked the board to consider their community. Thank you

Ms. Ruth Pless 1410 S. Yow Mill Road stated Georgia law states that a nuisance is anything that causes harm, inconvenience or damage to another. They may have met the qualifications or variances but that doesn't keep it from being a nuisance and it is a nuisance to the whole community. Dead chickens is a health problem, the smell is a health problem; we have flies, rats, bugs and buzzards. The smell is a health concern for the neighborhood it prevents people from being outside of their house. Trucks are loud at night and preventing people from sleeping. We don't need any other health problems. This is a nuisance and we have a Georgia nuisance law that would prevent the damage for the people. Please don't do anymore to us.

Mr. James Pless 1410 S. Yow Mill Road. We have a problem we don't need more chicken houses on the same property. We have to look at the future and our community is growing. It has to be regulated to the point that we can live and breathe and live in a pleasurable manner.

Mr. Leonard Sheriff stated there are 17 poultry houses in this area adjacent to the proposed location of 10 more. Mr. Sheriff stated he owns property on each side of the new four-lane which joins Hwy 17 and the existing poultry farm now. Mr. Sheriff stated he owns a cattle farm at the end of Yow Mill Road it has the nicest view of any cattle farm in Stephens County. Mr. Sheriff stated he applauds you for your stance on billboards. We need to protect the scenic view of our scenic highway how much more important is it to protect the quality of life with limited poultry houses. We don't want the poultry houses to prevent tourists

from coming into Stephens County. Mr. Sheriff stated he absolutely, positively think this should be denied so it is not visible to our scenic highway. Thank you.

Ms. Kathy Cothran stated she lives at 1176 S. yow Mill Road it is a beautiful location with the new Highway 17 it is more gorgeous than ever before. She stated when she looks out her door she cannot miss either side of the 10 new poultry house on Davis Road as she looks to the left she can almost see the new 10 poultry houses and on Yow Mill Road. That fits my home in the middle of 20 new poultry houses. We already have 17 that makes almost 40 houses in total. If the new construction of these houses is approved she will be greatly concerned about many things. Health, decline in property values, around the clock smell, increase in insects, along with traffic and the noise of the large poultry trucks up and down the road all

Pg. 15
April 11, 2017
Commissioner's Meeting

hours of the night. Ms. Cothran stated she was not concerned only for their neighborhood but for the industrial site across from where these poultry houses will be. That site is the development in developing stages for new industries and the creation of jobs something that we badly need an hour County. Also located there is North Georgia Technical College and Confidence Methodist Church, think of the impact these poultry houses just across the highway will have on our industrial site, our school and our church. Think of how many wedding receptions take place each year at the college, nobody will want to use that facility for receptions anymore if the air smells of poultry houses. Think of the many rodents that come from poultry houses that will migrate to the industrial site the school. This is a prime location for a new restaurant and convenience stores. There is big possibility of new growth in this area, if we allow these new poultry houses in the county we are saying bye to the new growth and job opportunities in this area. Ms. Cothran stated she was greatly opposed to the new chicken houses and asked the board to please consider all things that have been mentioned today. Please deny the building of these chicken houses not for today but for the future. Thank you

Mr. Buford Pitts at stated he lives at 1377 S. yow Mill Road. We are here today because we do not want these chicken houses bottom line. All our neighbors are in opposition. Many things have been said today and he stated he agrees with everything everyone has said. You have many factors to think about, the bottom line is it comes to money. We all know we are adults here it comes to money. Mr. Pitts stated he is all for making a living; he is self-employed but at the same time it is like going to the beach if you want to buy beach property where do you go to get it; you go to the beach. The bottom line is where the chicken houses are now we don't have a choice; we've heard talks about property values and anybody here that tells you that chicken houses don't bring your property value down, he greatly disagree with you. Mr. Pitts stated he has noticed recently the flies they are not like miniature beetle bugs they are not little flies anymore they are huge flies. If you table the signs and the solar farms what more value do you have here; we should be a little bit more important than a sign or solar farm because we are right in the middle of it. Mr. Pitts stated he does construction and anyone knows that 20 more chicken houses regardless of where they are at is going to do some damage to your property, to your roads, to the environment around us. As many have mentioned the bottom line is we have the school, the business park and the new road; companies and people in our community many, of you would not want to live where we live and like the ones directly across from the chicken houses if you say you do you are misleading the public. As you see the people here they are here for a reason; the bottom line is it is up to y'all to make the decision. Mr. Pitts stated he was in no way against the Duongs, but he does have something against 20 more chicken houses; along with the 17 houses that we've got that will be 37 houses. You are not going to sell your property you would have to give it away. Mr. Pitts stated he travels a lot and sees a lot of things and he knows chicken houses have their place they need to be out where they have 300 acres and away from people. There is only one person applying for the chicken houses, but look at all the people here that are against it. We do appreciate you listening to us and we definitely appreciate it if you don't approve this and nothing against the people that want it. Thank you.

Ms. Robin Bridges stated she lives at 435 Hayes-Wilbanks Rd. where she has lived all her life. Ms. Bridges stated she is not opposed to chicken houses just so many in one area. She stated she was so glad she had not planned to grill out because the smell was horrible; the winds were blowing directly that way. Ms. Bridges stated she told her husband she could just imagine if it was this bad here, how bad it is on Yow Mill Road. The ones they are proposing are going to be closer house to her house; the ones on Davis Road, basically we will be sandwiched in between. She stated from where her house is you turn left and she is half a mile to Yow Mill Road; turn right we are half a mile to Hayestone Brady where they are trying to bring in more industry. If you get that many chicken houses in that much smell and people come to walk the land and leave you what they're going to put there, they are not going to put stuff there that's going to require anything outside and they're not going to really want to bring people in to live in that area that has got to smell that. Thank you for the time and hope you will take all that into consideration. Ms. Ayers stated having no other opposition we will close the work session and move into our regular meeting.

Pg. 16
April 11, 2017
Commissioner's Meeting

REGULAR MEETING

Chairman Whitlock called the regular meeting to order at 12:05 p.m. and welcomed those present. Mr. Teasley gave the invocation and led the Pledge of Allegiance.

I. APPROVE AGENDA

Commissioner Scarborough stated he would like to make a change to the agenda like to change the order for number 10 and 16 and swap those. Ms. Ayers stated number 16 is actually a request and the budget amendment is before and she would be in agreement with that.

A motion was made by Commissioner London, seconded by Commissioner Scarborough to approve agenda with changes of swapping 10 and 16. **Motion carried unanimously.**

II. APPROVE MINUTES

1. MARCH 28, 2017 – REGULAR MEETING

A motion was made by Commissioner Bell, seconded by Commissioner Ivester to approve minutes as presented. **Motion carried unanimously.**

III. OLD BUSINESS

IV. NEW BUSINESS

1. BOARD TO CONSIDER MOTION TO APPROVE OR DENY REZONING REQUEST FROM TIMMY THOMPSON, 3268 RIDGELAND ROAD, EASTANOLLEE, GEORGIA 30538. PARCEL 045 043. THE SUBJECT PROPERTY IS CURRENTLY ZONED AS AGRICULTURAL INTENSIVE. PROPOSED ACTION TO BE TAKEN IS TO REZONE AS AGRICULTURE RESIDENTIAL FOR ONLY 3.01 ACRES

A motion was made by Commissioner London, seconded by Commissioner Ivester to approve the rezoning request. **Motion carried unanimously.**

2. BOARD TO CONSIDER MOTION TO APPROVE OR DENY VARIANCE REQUEST FROM CROSSROADS MISSIONARY BAPTIST CHURCH, 1660 WHISPERING PINES DRIVE, TOCCOA, GEORGIA 30577. PARCEL 052A 119. THE SUBJECT PROPERTY IS CURRENTLY ZONED AS COMMERCIAL GENERAL. PROPOSED ACTION TO BE TAKEN IS SETBACK VARIANCES AND PLANTED BUFFER SETBACK VARIANCE

A motion was made by Commissioner Scarborough, seconded by Commissioner Bell to approve the variance request. **Motion carried unanimously.**

3. BOARD TO CONSIDER MOTION TO APPROVE OR DENY VARIANCE REQUEST FROM CROSSROADS MISSIONARY BAPTIST CHURCH, 1660 WHISPERING PINES DRIVE, TOCCOA, GEORGIA 30577. PARCEL 052A 119. THE SUBJECT PROPERTY IS CURRENTLY ZONED AS COMMERCIAL GENERAL. PROPOSED ACTION TO BE TAKEN IS VARIANCE TO ALLOW ACCESSORY BUILDING TO BE LARGER THAN EXISTING PRINCIPAL BUILDING

Pg. 17
April 11, 2017
Commissioner's Meeting

A motion was made by Commissioner London, seconded by Commissioner Scarborough to approve the variance request. **Motion carried unanimously.**

4. BOARD TO CONSIDER MOTION TO APPROVE OR DENY CONDITIONAL USE REQUEST FROM UNITED RENEWABLE ENERGY, LLC, 1133 TURNER ROAD EASTANOLLEE, GA 30538. PARCEL 044 083 & 044 082. THE SUBJECT PROPERTY IS CURRENTLY ZONED AS COMMERCIAL INDUSTRIAL. PROPOSED REQUEST IS TO CONSTRUCT ANOTHER SOLAR FARM FOR GENERATION OF ELECTRICITY

A motion was made by Commissioner London, seconded by Commissioner Ivester to deny the request until the situation with Mr. Shirley is taken care of. **Motion carried unanimously.**

5. BOARD TO CONSIDER MOTION TO APPROVE OR DENY VARIANCE REQUEST FROM UNITED RENEWABLE ENERGY, LLC, 1133 TURNER RD, EASTANOLLEE, GEORGIA 30538. PARCEL 044 083 & 044 082. THE SUBJECT PROPERTY IS CURRENTLY ZONED AS COMMERCIAL INDUSTRIAL. PROPOSED ACTION TO BE TAKEN IS SETBACK LESS THAN REQUIRED FOR CI BORDERING RESIDENTIAL DISTRICT

A motion was made by Commissioner London, seconded by Commissioner Ivester to deny the request until Mr. Shirley is taken care of. **Motion carried unanimously.**

6. BOARD TO CONSIDER MOTION TO APPROVE OR DENY CONDITIONAL USE REQUEST FROM BRYANT HOWE, 960 WALKER ROAD, TOCCOA, GA 30577. PARCEL 022B 003. THE SUBJECT PROPERTY IS CURRENTLY ZONED AS RESIDENTIAL SINGLE FAMILY DISTRICT. PROPOSED ACTION TO BE TAKEN IS TO HAVE A HOME BASED BEAUTY SALON BUSINESS

A motion was made by Commissioner Bell to approve; Commissioner Bell amended his motion with condition of the property to be cleaned up 120 days after building permit issued. Commissioner London seconded the motion. **Motion carried unanimously.**

7. BOARD TO CONSIDER MOTION TO APPROVE OR DENY CONDITIONAL USE REQUEST FROM DUONG VU, 3435 DAVIS ROAD, TOCCOA, GA 30577. PARCEL 060 053. THE SUBJECT PROPERTY IS CURRENTLY ZONED AS AGRICULTURE INTENSIVE. PROPOSED REQUEST IS TO CONSTRUCT NEW POULTRY HOUSE FOR BROILERS

A motion was made by Commissioner Ivester to postpone the vote for 30 days considering the amount of people that have been here this morning with complaints we need to dig deeper into this. Along with that Commissioner Ivester would like to ask if in the future we could coincide the Planning Commission meeting two weeks before our meeting so that we have time to look at things more than just for a week. Ms. Ayers stated we would have to re-advertise, we did look at this at the beginning; our problem is we could do it but if we held it off to the next month we would have to re-advertise because you have to have that certain number of days before it's voted on. Mr. Ranck stated the notice of the hearing has to be at least 15 and not more than 45 days. Mr. Ranck stated he will look at it. Commissioner Scarborough stated should be on a case-by-case basis. Chairman Whitlock stated when you have items like today we need more time to look at it. Commissioner London asked if there was anything from the State where they could come in and look at saturated areas. Mr. Ranck stated he did not know the answer to that question and imagine there would be studies; there are experts out there that probably could present evidence at your public hearing and that could touch on the density. For this request, Mr. Ranck stated

Pg. 18
April 11, 2017
Commissioner's Meeting

he didn't think that would be possible but in the future you can have someone come. The motion was seconded by Commissioner Bell. **Motion carried 4-1; Commissioner Scarborough opposed.**

8. BOARD TO CONSIDER MOTION TO APPROVE OR DENY CONDITIONAL USE REQUEST FROM CALVIN DUONG, 775 S. YOW MILL ROAD, TOCCOA, GA 30577. PARCEL 060 109. THE SUBJECT PROPERTY IS CURRENTLY ZONED AS AGRICULTURE INTENSIVE. PROPOSED REQUEST IS TO CONSTRUCT NEW POULTRY HOUSE FOR BROILERS

A motion was made by Commissioner Ivester, seconded by Commissioner London to postpone for 30 days to give us time to research. **Motion carried 4-1; Commissioner Scarborough opposed.**

Ms. Ayers stated she has a suggestion for difficult ones that you come to the Planning Commission meetings if we can't find a way to put them off for a month.

9. BOARD TO CONSIDER APPOINTMENT FOR A NON-VOTING LIASON TO THE HOSPITAL AUTHORITY BOARD

A motion was made by Commissioner London, seconded by Commissioner Scarborough to appoint Chairman Debbie Whitlock. **Motion carried unanimously.**

10. BOARD TO CONSIDER MOTION TO ADD 2ND DEPUTY CORONER BEFORE END OF FISCAL YEAR 2017 DUE TO TRAINING ONLY IN JUNE AND DECEMBER

Coroner Chris Stephens stated he serves proudly as your elected County Coroner. The reason he is making this request early, he has been in office since January 1, 2009. It has been him and one Deputy

Coroner Michael Carter. Mr. Stephens stated he and Michael have worked side by side and will continue to do so but as it currently stands, Michael is having some health issues and is looking at back surgery. If he goes out for back surgery Mr. Stephens stated he is the lone survivor. Mr. Stephens stated there is not possible way he can cover the whole time everyday 24 hours a day because he has a full time job. That is the reason he is making the request early. At the Georgia Public Safety Training Center they do two basic classes a year which are weeklong classes which anyone that is elected or appointed must attend that week long session before they can start doing the job. They can't get paid until they go to the weeklong classes. Mr. Stephens state he could appoint someone now but they can't get paid till they attend the class. Mr. Stephens stated he knows it is early and he has put the request in for the last several years, the need is there. Mr. Stephens stated we are averaging about 100-110 cases a year. That doesn't sound like a lot until you are on a case like the case last night, Mr. Stephens stated he was there for three solid hours. Mr. Stephens stated he is currently serving as the Georgia State President of the Coroner's Association that requires him to travel a little more, having to go to meetings and out of town more than before and that will be ending in September. To give you a synopsis of what the board is looking at an additional cost of \$1475 for the initial training; that is the one lump sum after that each year is \$885 plus uniform allowance the total would come to \$1135 a year. Plus if that person is on call it is \$175 per call it would be \$1135 a year plus any calls. On average it would be less than \$2000 a year after the initial training. The board has had a question before why can't we get a Coroner from outside the County; Mr. Stephens stated he could but somebody has to pay them. If we do that they are not on County insurance and we can't allow them to drive the van to transport a body so then the County has to incur a cost of anywhere from \$125-\$150 just to get a body transported. Commissioner Scarborough asked if we would have to provide insurance for this person. Mr. Stephens stated no. Ms. Ayers stated in accordance with the policy with how we treat others if they requested we would need to do that. Mr. Ranck stated he could waive it. We are talking about the government as a whole if we offer it to one class we need to offer it to other part time. Commissioner Scarborough asked if the one he was considering was covered by another insurance. Mr. Stephen stated yes. Commissioner Scarborough asked if the \$1135 flat is the

Pg. 19
April 11, 2017
Commissioner's Meeting

training per year and the uniforms. Mr. Stephens stated that includes the uniforms, training and the expense of the per diem they would get per year. Your current deputy being on call is at \$175 per call? Mr. Stephens stated no, he is flat salary. Commissioner Scarborough asked what is his salary. Mr. Stephens stated \$5000 a year. Commissioner London asked when Mr. Carter gets well will you keep this other one. Mr. Stephens stated yes that would be the plan, what he would like to do is drop to part time. Thank you.

A motion was made by Commissioner London, seconded by Commissioner Bell to approve the request.
Motion carried unanimously.

Commissioner Scarborough not know but is going to be next he thinks we need to discuss at least at budget time is not a limit the amount of this position knowing that the need is mostly temporary Chairman Whitlock agree Commissioner Bell stated Mr. Stephens to be around \$2000 is as though there is no and that's about the commissioner stated we have to know and they have to have limitations.

Chairman Whitlock stated we can talk about this at budget time we can take that money away from the deputy corner is a set amount it would be extra monies. Administrator Phyllis Ayers stated this is to add a second Deputy before the end of fiscal year 17 for training Ms. Ayers stated you have a need before the budget.

11. BOARD TO CONSIDER MOTION TO AUTHORIZE CHAIRMAN TO SIGN MOTOROLA SERVICE AGREEMENT FOR DISPATCH SERVICE; ONSITE INFRASTRUCTURE RESPONSE AND REPAIR; TECHNICAL SUPPORT; AND NETWORK PREVENTATIVE MAINTENANCE

Ms. Ayers stated this was part two of the one we approved three months ago; Ms. Ayers did add both together to make sure they stayed within the bid amount a couple of thousand less.

A motion was made by Commissioner Scarborough, seconded by Commissioner Ivester to authorize Chairman to sign Motorola agreement. **Motion carried 4-1; Commissioner London opposed.**

12. BOARD TO CONSIDER MOTION TO EXTEND FOR 90 DAYS A TEMPORARY MORATORIUM FOR SIGNAGE AND BILLBOARDS WITHIN THE UNINCORPORATED PORTIONS OF STEPHENS COUNTY

A motion was made by Commissioner Ivester, seconded by Commissioner London to extend for 90 days a temporary moratorium for signage and billboards within the unincorporated portions of Stephens County. **Motion carried unanimously.**

13. BOARD TO CONSIDER MOTION TO ABANDON NEW ROAD

Ms. Ayers stated this is at the request of George Dean and the property owners of New Road. The road has turned into a cut through road. We did a traffic analysis on the road you have that in your agenda packet. We did that to reduce the speed limit. DOT did approve the 40 mile an hour speed limit. In your agenda packet you will have a picture of markings that shows you right away 40 feet of the centerline of Tower Road. If you abandon that road which is the City of Avalon that road would become a private drive. We would need to get the property owners signatures and the owners can do what they want to with that road. The next page shows a yellow outline of why people are choosing new road to get to Tower Road. On 328 when the lake traffic starts you are going to have a lot more you can't turn left there anymore and everyone is trying to find a quick way to get to the left side. This request is just for us to start the process; there will be public hearings and taking it off the county maintenance system. Commissioner Ivester stated she looked

Pg. 20
April 11, 2017
Commissioner's Meeting

at it last night; there are a good many property owners before she is comfortable with abandoning it she would like to have signatures from property owners saying they are okay with abandoning the road. Mr. Ranck stated if you're going to abandon the road they're going to get a notice of the abandonment. Commissioner Ivester stated an informal request would be fine.

A motion was made by Commissioner London, seconded by Commissioner Bell to abandon New Road and start the process formally. **Motion carried unanimously.**

14. BOARD TO CONSIDER REQUEST OF JOE YERGIN TO ADD TO THE COUNTY ROAD MAINTENANCE SYSTEM SHENANDOAH PRIVATE DRIVE

Ms. Ayers stated in your agenda packet you have what the landowner is requesting, for the county to take the road into the maintenance system. The Road Department has not made any analysis. Mr. Joe Yergin addressed the board stating he is representing the residents of Shenandoah Drive. We are contributors to our community, to our county; we shop local we buy local. When we bought our property we did not know it was a private drive, we are the newest members on the road. We are requesting the county adopt the road;

the road is in good shape, there is one bad area that you can see in the picture as provided. Mr. Yergin stated the sign that is in the middle, all the residents are willing for that to be removed. Commissioner Ivester asked if we could get the Road Department to give us an estimate. Ms. Ayers stated yes, we will do that. Ms. Ayers stated the first thing we will do is a cost estimate of what kind of shape the road is in and again the same thing before the right of way deeds, if you could have the property owners sign something. We have run into a situation where you get one property owner say he is not signing a right-of-way deed to the county. If you could get signatures of the property owners that would move things and it is usually 60 feet, 30 feet from the center line.

Commissioner Scarborough made a motion to instruct County staff to get an estimate of what it would cost, Commissioner Ivester seconded the motion. **Motion carried unanimously.**

15. BOARD TO CONSIDER MOTION TO APPOINT 5-10 NAMES TO AN ADVISORY COMMITTEE FOR THE LOCAL COMPREHENSIVE PLAN UPDATE FOR STEPHENS COUNTY

Phil Hobbs, Alvin Brinkley, James Addison, Clint Simmons, Jennifer Findley, Clay Fisher, Angie Ramage, Shelby Gober, Brittney Ivey.

A motion was made by Commissioner Scarborough, seconded by Commissioner Ivester to accept the names for the Advisory Committee to serve on the Comprehensive Plan Update contingent upon their acceptance. **Motion carried unanimously.**

16. BOARD TO CONSIDER MOTION TO APPROVE FY 2017 BUDGET AMENDMENT FOR CORONER, PUBLIC WORKS, BUILDINGS AND GROUNDS, AND AUTHORIZE CHAIRMAN TO SIGN RESOLUTION

A motion was made by Commissioner London, seconded by Commissioner Ivester to approve the FY 2017 budget amendments. **Motion carried unanimously.**

17. BOARD TO CONSIDER MOTION TO APPROVE BUDGETED EXPENDITURES OUT OF THE CAPITAL PROJECTS FUND FOR SECURITY AT THE GOVERNMENT BUILDING

The committee chose to put up some bollards so a car cannot run into the front doors. This would be for bollards only. A motion was made by Commissioner Scarborough, seconded by Commissioner Ivester to

Pg. 21
April 11, 2017
Commissioner's Meeting

approve budgeted expenditures out of Capital Projects Fund for security at Government Building. **Motion carried unanimously.**

18. BOARD TO CONSIDER MOTION TO ENTER INTO PRICING AGREEMENT WITH SOUTHEAST EMULSIONS FOR CRS-2H FOR 2017 AND AUTHORIZE CHAIRMAN TO SIGN AGREEMENT

A motion was made by Commissioner London, seconded by Commissioner Ivester to enter into a pricing agreement with Southeast Emulsions and authorize Chairman to sign agreement. **Motion carried unanimously.**

I. INVOICES OVER \$5,000

1. ACREE OIL CO. - \$9,084.83
2. ACREE OIL CO. - \$5,990.13
3. ACREE OIL CO. - \$5,915.23
4. ACREE OIL CO. - \$9,090.28
5. B & C MECHANICAL - \$8,653.04
6. ANDERSON POWER SERVICES - \$8,544.04

A motion was made by Commissioner London, seconded by Commissioner Scarborough to pay the invoices. **Motion carried unanimously.**

II. MATTERS FROM DEPARTMENTS

1. ADMINISTRATOR/FINANCE REPORT

Ms. Ayers stated this week is National Safety Telecommunications week; there is a host of things going on all week long. The community has really come out and showered them with free lunches and gifts. Thursday is open house.

2. DEPARTMENT REPORT

3. COMMISSIONERS REPORT

Commissioner London reminded everyone about Amnesty Day April 22nd.

Commissioner Scarborough reminded everyone about Holy Week at the first Methodist Church

III. MATTERS FROM CITIZENS – TIME LIMIT OF THREE (3) MINUTES

Mr. Keith Pruitt stated he would like to see if there is something that could be done about the noise level at the shooting range in Eastanollee. Mr. Pruitt stated he lives behind it and he cannot talk on the phone in his house. Commissioner Bell asked how far he lived from the range. Mr. Pruitt stated there is a creek that separates them. Mr. Pruitt stated there are easily 1000 shots a day, seven days a week. He stated they start up at around nine and sometimes ends at 10:45 p.m. Commissioner London stated he went to check on a road and it scared him. Commissioner London stated Mr. Pruitt mentioned the range has bought more property and if they add on they will have to follow our land use and have to get permits. Ms. Ayers stated yes they would. Ms. Whitlock stated the only alternative to that if they are going to add on, that would fall under our land use plan; short of that it seems that somebody would have to go out and make a complaint as a nuisance. Mr. Pruitt stated he lives in an old model trailer and he has put a whole sheet of insulation to cover the windows and he can still hear it. Mr. Ranck stated we can't give you legal advice

Pg. 22
April 11, 2017
Commissioner's Meeting

but you may want to consult with an attorney that would be some advice that he would give; you might want to make an appointment with a local attorney to talk about what kind of recourse you would have as a private landowner. Chairman Whitlock is correct from the county's perspective since this was in place prior to land-use it would fall under the nuisance ordinance. Ms. Ayers stated she did send the Marshal out and while he was out walking around he had her on the phone in the middle of the day she could hear through his phone. What she requested of the Marshal we need to find out the exact parcel that looks like it is being added on to changed or graded so that we can send somebody out to see if it would fall under land use. Ms. Ayers stated it does fall under the Nuisance Code she read it before she sent the Marshal.

IV. EXECUTIVE SESSION – PERSONNEL & POSSIBLE LITIGATION

A motion was made by Commissioner Ivester, seconded by Commissioner Scarborough to enter into executive session.

A motion was made by Commissioner Scarborough, seconded by Commissioner Ivester to adjourn executive session at 12:51 p.m.

V. ADJOURNMENT

A motion was made by Commissioner Scarborough, seconded by Commissioner Bell to adjourn regular meeting at 12:51 p.m. **Motion carried unanimously.**

Approved this _____ day of _____, 2017

Debbie Whitlock, Chairman

Attest:

Beth Rider, County Clerk