

**HARRIS COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION**

May 7, 2024  
6:30 p.m.

Commissioners Present: Rob Grant, Susan Andrews, Greg Gantt, Scott Lightsey, Bobby Irions. Staff Present: Russell Britt, County Attorney; Andrea Dzioba, County Clerk; Brian Williams, Community Development Director; Jeff Culpepper, Water Works Director.

1. **CALL TO ORDER.** Chairman Grant called the Regular Session to order at 6:30 p.m.
2. **INVOCATION / PLEDGE OF ALLEGIANCE** Chairman Grant requested that people keep the family of Stacey Jackson in their thoughts and prayers and that right now is a tough time. Vice-Chair Andrews gave the invocation. Chairman Grant led those in attendance in the Pledge of Allegiance.
3. **REQUEST FOR EXECUTIVE SESSION.** Chairman Grant stated that he would like to have an executive session to discuss personnel.
4. **RECESS FOR EXECUTIVE SESSION.** Chairman Grant made the motion to go into Executive Session for personnel at 6:33 p.m. The motion was seconded by Commissioner Lightsey and passed unanimously.
5. **RESUME REGULAR SESSION.** The motion to go back into Regular Session was made at 7:55 p.m. by Vice-Chair Andrews, seconded by Commissioner Lightsey, and passed unanimously.
6. **COUNTY MANAGER.** The motion to accept the voluntary resignation of the County Manager and execution of a release of all claims in return for the severance package as outlined in his current contract was made by Chairman Grant, seconded by Commissioner Lightsey, and passed unanimously.
7. **MINUTES** The motion to approve the minutes of the April 16, 2024 Regular Session was made by Commissioner Irions, seconded by Commissioner Lightsey, and passed unanimously.
8. **APPEARANCE OF CITIZENS**
  - A. **John Kamisky - Location of Pickleball Courts in the County.** John Kamisky, citizen who lives on Lake Drive in Pine Mountain, advised that the pickleball facility at the Community Center is great but that the lighting is terrible; that the park is being developed in Pin Mountain Valley but that he doesn't want pickleball courts there; that he believes that they need to be at the Community Center; and that he would like the Board to consider that and better lighting at the Community Center.
  - B. **Brian McKeen - County Management.** Brian McKeen, citizen who lives on O'Neal Road, addressed the Board and thanked the Board for taking decisive action; that he learned from a professor of Political Science that "if you learn nothing else, learn to say 'I am mad as hell and I am not going to take it any more,'" that there will not be change until we say it needs to change; that he keeps coming because it is broken; that a County Manager needs to be a leader and not a boss; that the County isn't a boundary of dirt but is the people; that employees cannot beat people over the head with the zoning ordinance; and that they should be looking to lead people and be customer service oriented.

Dwight Langston, citizen who lives on Creekside Court, thanked the Board for the opportunity to speak; that he previously asked for a financial statement; that at the last meeting a financial update was not on the agenda and denied him the right to speak; and was concerned with the County Manager not being confident to place figures in the proposed budget for the last fiscal year.
  - C. **Morgan Marlowe - District 5 Commissioner.** Mogan Marlowe, citizen who lives on GA Hwy 18, commented about the "bad actions of one commissioner;" that Commissioners have a responsibility; that he has concerns about perceived conflicts of interest related to the Cattleman's and the Agricultural Committee; that Committee members felt like they wasted their time; that when he sent an e-mail in April of 2023 related to impact fees that one Commissioner contacted his employer to complain and he felt like it was to intimidate and silence someone; that the April 2024 Q&A Session was clearly a

campaign event and that the County Manager was there; and that County resources can't be used in a campaign.

Brian McKeen, citizen who lives on O'Neal Road, stated that a conflict of interest also means that judgment can be skewed; that there may have been impropriety; that it would have been proper for the Commissioner to have abstained from voting on acceptance of the resignation; that a Commissioner is a trustee of the County; that a position can't be used to quell free speech; and that Commissioners represent every person in Harris County.

- D. **Jim Furin - U.S. Postal Service and April Water Bill Late Fees.** Jim Furin, citizen who lives on West Dogwood Lane, stated that delays of the mail system has created delays with receipt of utility bills from Harris County Water Works; that he and his neighbor did not receive their water bills; that Water Works advised that they mailed them and that there was nothing that they could do; that they were advised of the bill amount and told to pay by April 30th; that the checks were mailed on April 13th and still have not cleared; that it should work both ways; that many others have experienced the same situation; that his suggested resolution is to waive late fees for water payments for March and April for those who have made timely water payments since January 2024; and that if the post office was working effectively that there would be no late fees.

9. **NEW BUSINESS.**

- A. **Health Insurance Renewal: John Leggett.** John Leggett, insurance broker with MSI, appeared before the Board and reviewed the various aspects of the renewal documents and advised that coverage was moved to Cigna last year and this is the first renewal; that claims were at an 80% loss ratio which is higher than they would like to be; that Cigna came down to just under a 10% increase; that there are no changes in the employee deductions; that had Cigna not been able to reduce the increase that he would have recommended a self-funded option; and that in the future he would love to go over a self-funded option in depth with the Board. Kris Summerall, Payroll and Benefits Specialist, advised that she agrees with the recommendation to remain with Cigna as it is easier for the employees. Following discussion, the motion to remain with Cigna as recommended and with all other benefits (vision, life, and disability) to remain the same was made by Commissioner Lightsey, seconded by Commissioner Irions, and passed unanimously.

10. **COUNTY MANAGER**

- A. **Bid Award: Elevated Water Tank.** Chairman Grant introduced the item related to the bid award for the elevated water tank. Water Works Director Jeff Culpepper advised that even with extending the construction time to 500 days that they would still meet the deadlines necessary. Discussion was held related graphics on the elevated water tank. County Attorney Russell Britt advised the Board that he will take a look into it. No action was taken.
- B. **Project Updates.** Chairman Grant stated that he wasn't going to go through the list of projects. He informed the Board that the Airport Open House was very well attended and that there was a ribbon cutting for the new AWOS and lighting system.
- C. **Financials.** A motion to amend the agenda to discuss financials was made by Commissioner Gantt, seconded by Chairman Grant, and passed unanimously. Steven Voynich, auditor with Robinson Grimes, advised that the audit has begun and that they are working as fast as they can; that it is a process of the Finance area putting information together and then auditing at the same time; and that they are planning to meet the June 30th audit deadline. Dwight Langston, citizen who lives on Creekside Court, inquired as whether it was advisable for a county or a business to go without financial statements.

11. **COUNTY ATTORNEY.**

- A. **Pine Mountain Annexation Application.** County Attorney Russell Britt advised the Board that he had received notice from the Town of Pine Mountain of an application to annex real property into the town. Community Development has advised that there are no County-owned public facilities located in the area proposed to be annexed. Community Development Director Brian Williams informed the Board that this annexation is a sliver on a piece of property that had to be put in because there was a creation of an island and he

had recommended that it be done previously. Mr. Britt further advised that if there is no objection then no further action is required.

12. **PUBLIC HEARINGS AT 7:00 p.m.**

The Conflict of Interest forms were completed at the request of Chairman Grant. Chairman Grant explained the procedures for the Public Hearing. The Public Hearings were opened at 7:57 p.m.

A. **Application of LaShawn M. Gibson, to rezone 4.578 acres, located on Map 093, Parcel 053, Land Lot 255, Land District 22<sup>nd</sup>; Rezoning from C-3 (Neighborhood Commercial) to A-1 (Agricultural/Forestry); Current use is vacant/wooded property; proposed use is to build a home; property located 350' west of the intersection of Joe Brown Drive and Mann Road on Joe Brown Drive, Shiloh, GA.**

Chairman Grant introduced the information related to the Application of LaShawn M. Gibson for the request to rezone. LaShawn M. Gibson, Applicant, was in attendance to respond to questions from the Board. Ms. Gibson thanked the Board and advised that she had purchased the property and discovered that it was spot zoned. She said that she made the application to rezone so that she can build a home on it.

Chairman Grant asked if anyone wished to speak in favor of this application. There being none, Chairman Grant asked if anyone wished to speak in opposition to this application. There being none, Chairman Grant closed the public hearing at 8:01 p.m.

The motion to approve the Application of LaShawn M. Gibson, to rezone 4.578 acres, located on Map 093, Parcel 053, Land Lot 255, Land District 22<sup>nd</sup>; Rezoning from C-3 (Neighborhood Commercial) to A-1 (Agricultural/Forestry); property located 350' west of the intersection of Joe Brown Drive and Mann Road on Joe Brown Drive, Shiloh, GA with the staff recommendation that the property be used for the proposed single-family residential purpose was made by Chairman Grant, seconded by Vice-Chair Andrews, and passed unanimously.

B. **Application of Trademark Quality Homes, to rezone 160.66 acres, located on Map 055, Parcel 011B, Land Lot 37, Land District 3<sup>rd</sup>; Rezoning from A-1 (Agricultural/Forestry) to R-R (Rural Residential); Current use is vacant farmland; proposed use is for a 5+ acre lot subdivision; property located on GA Hwy 18 (1200' west of the split of GA Hwy 18 and Hopewell Church Road) Pine Mountain, GA.**

Chairman Grant introduced the information related to the Application Trademark Quality Homes for the request to rezone. Steven Ward, representing Trademark Quality Homes, was in attendance to respond to questions from the Board. Mr. Ward advised that he is requesting to rezone the property back to a project that Planning and Zoning had reviewed and approved back in 2022 and that the only difference is related to the right-of-way difference which was adjusted to meet the new ordinance on the 5-acre lot requirement. He stated that they did not go back and request smaller lots and that they had to file the request to rezone because they weren't able to get dirt moved in enough time otherwise they would have had streets in and twenty-eight houses out there right now. He said that he wanted to clarify that there is no intended affordable housing and that there was a negative connotation regarding that. He advised that these homes will be 2,300 to up to 3,600 square feet and \$450,000 and up if pricing today and that \$450,000 to \$550,000 would probably be the price range. He said that neighbors stated that they were concerned with lighting and that agreed to have no street lights and to keep it as rural as possible. He said that there were also concerns about a deceleration lane and that whether GDOT required it or not that they intend to have a deceleration lane for the safety of people that travel on the road and the people in the neighborhood. In response to questions from the Board, he said that they have communicated with GDOT and restated that Trademark is having to rezone because they did not begin construction in time and that the ordinance changed which has created the need to now rezone the property, that the intentions are the same, and that the layout is the same except for the right-of-way.

Chairman Grant asked if anyone wished to speak in favor of this application. There being none, Chairman Grant asked if anyone wished to speak in opposition to this application.

Dan Ertle, citizen who lives on Butts Mill Road, was wondering if there would be septic in the subdivision running from Pine Mountain or if there would be a drainfield. Chairman Grant advised that the Department of Health is in charge of the septic and, if it would be acceptable, then they would be able to have septic. Community Development Director Brian Williams stated that this subdivision would be like any other subdivision and that they would be on individual septic fields.

Ferrell Williams, citizen who lives on GA Hwy 18, asked why it has to get to this point and that there is a lot of traffic and a lot of school kids getting off of the bus. He advised that he has concerns about whether the decel lanes will go on both sides of the road; whether his taxes will go up; and has concerns about traffic. Chairman Grant stated that since it is a State highway that Trademark was working with the State because the State owns the road and that GDOT would have to be contacted for specific answers.

Steve Higgins, citizen who lives on GA Hwy 18, advised that his property adjoins the property on the west side and is concerned that the property will be completely cleared to put the houses in and that he doesn't want that to happen.

Alexander Sheehan, citizen who lives in Pine Mountain, stated that "not all progress is good progress;" that he is happy that this is not a huge development; that he is concerned that all of the oak trees with overhangs are going to be cut down; that he is concerned with more traffic and traffic lights; that he feels that this threatens his way of life and that this opens up a "flood gate."

Christy Parker, citizen who lives on Lewis Bryant Road, stated that she wants to preserve what Harris County is and that this is "just one domino;" that she has already seen Hidden Lakes as an example and template; that they want to keep the creeks and cattle; that is why they moved out here; that she is concerned about depletion of resources and the possibility of the wells drying up; that people have lived on generational land; that they don't want to see all of the development; that the property should stay A-1 and that 10-acre lots would be more indicative of the area; and that they should preserve what they have.

Debbie Bailey; citizen who lives on Hopewell Church Road, said that she is an adjacent neighbor; that she echos everything that has been said; that she has concerns including the lighting; that there is only a certain amount of land in the County; that her livestock crosses Culpepper Road each day; that she wants to have her road stay a one lane road; that hardwoods should be worked around; that there would be 28 new wells and 28 new septic tanks; that a nice home price is not a reason to consider it; and that they need more answers related to GDOT and wells.

Mr. Steven Ward addressed the Board and advised that there would be septic; that they have done soil work and will place houses accordingly; that they will meet guidelines; that a hydrologist comes in and does a study like the preliminary work did; that they never intended to clear cut this project; that they were going to leave good trees and leave as natural as possible; that GDOT has process and Trademark is committed to a decel lane but cannot predict traffic; that he can't argue that there won't be any increase in traffic; that they could do 10-acre lots but that wouldn't make sense; that they would comply with any and all ordinances; and that they have worked with engineers to meet current requirements. In response to questions from the Board, Mr. Ward stated that GDOT has not determined where the deceleration lanes would be; that they plan to have a buffer, that their home buyers would want a buffer, and that it goes along with neighborhood planning phase; and that they are willing to meet with neighbors related to a buffer.

Community Development Director Brian Williams stated that the Board can enforce a buffer right now; that a 50-100 foot buffer would be sufficient; that he recommends a 75-foot natural vegetative buffer; that it fits the comprehensive plan; that trees are not part of scenic by-way; that the Planning Commission and Board could include conditions; and that he would not recommend a buffer along the highway.

Chairman Grant closed the public hearing at 8:34 p.m.

A motion to approve the Application of Trademark Quality Homes, to rezone 160.66 acres, located on Map 055, Parcel 011B, Land Lot 37, Land District 3<sup>rd</sup>; Rezoning from A-1 (Agricultural/Forestry) to R-R (Rural Residential); property located on GA Hwy 18 (1200' west of the split of GA Hwy 18 and Hopewell Church Road) Pine Mountain, GA with the staff recommendations that the property be used for large lot residential development and recommended 75' vegetative buffer along property excluding highway frontage and with the recommendation of the Planning Commission that there be no lighting by the developer/builder was made by Commissioner Gantt, seconded by Chairman Grant, and failed with two in favor (Grant, Gantt), and three opposed (Andrews, Irions, Lightsey).

13. **ADJOURNMENT**. There being no further business to discuss, the motion to adjourn was made by Commissioner Irions, seconded by Commissioner Lightsey, and passed unanimously. The meeting adjourned at 9:42 p.m.

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Rob Grant, Chairman

Attest:

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Andrea Dzioba, County Clerk