

MINUTES
PUBLIC MEETING
BARTOW COUNTY COMMISSIONER
April 12, 2017

Commissioner Taylor opened the Public Meeting with the reading of a Proclamation for National Day of Prayer. Mayors from the municipalities joined the Commissioner in proclaiming Thursday, May 4, 2017 as National Day of Prayer. The National Day of Prayer planning committee was also in attendance for the reading.

The following items of business were presented for review and discussion:

1) The minutes of the March 8th Public Meeting were approved as presented.

Contracts/Agreements

2) Mr. Keith Lovell, Attorney for the City of Cartersville and the Cartersville Development Authority presented an amendment to a previously executed Incentive Agreement for Shaw Industries Group, Inc. The incentive agreement provided certain allowable incentives for Shaw Industries to construct a special purpose facility on Douthit Ferry Road in Cartersville. A scrivener's error in the original document resulted in the exclusion of a four-acre parcel that was intended to be included as part of the agreement. The amended document serves to correct the error. Commissioner Taylor approved the documents as presented.

3) The Bartow County Water Department presented a contract to conduct water leak detection services for approval. Proposals were received from three leading companies specializing in the service. The firm of New York Leak Detection, Inc. was selected to perform the services for a total contract amount of \$156,406.50. The work will be performed in three phases over the next three years. Commissioner Taylor approved the contract as presented.

4) Commissioner Taylor approved a grant application to be submitted to the Substance Abuse and Mental Health Services Administration requesting \$125,000 in grant funds to be used to combat alcohol and tobacco use among underage youth. Ms. Valerie Gilreath with the Bartow Grant Writing Department stated that the grant, if approved, can be renewed for up to four years.

5) An agreement with Ms. Rebecca Champion to assist in the planning and start-up of a County Food Hub was presented for approval. Ms. Gilreath explained that the County has been awarded a grant from the Department of Agriculture in the amount of \$65,200 to promote local consumption and marketing of agricultural products to the consumers. The Grant Writing Department wishes to contract with Ms. Champion to perform the initial planning and start-up of the program. Commissioner Taylor approved Ms. Champion's contract as presented.

6) A contract with Georgia Power to upgrade lighting at Hamilton Crossing Park and Manning Mill Park was approved as presented. The project will be funded through a Land and Water Conservation Grant.

7) Commissioner Taylor approved an agreement with Clark Patterson Lee to perform concept planning, engineering and consultant services for the Cass-White Road project.

8) A Supplemental Framework Agreement with GDOT for the Old Alabama Road widening project was approved as presented. The agreement provides additional funding for engineering services for

infrastructure changes and includes a required archeological study of the location. The project, which started in 1999 has had a number of delays and unfortunately the additional time required to perform the archeological study, etc. will push the let date back again to December 2018.

9) Commissioner Taylor also approved a Supplemental Framework Agreement with GDOT for the Glade Road/Clark Creek project. The supplement provides GDOT PE oversight of the project and the necessary funding for the service and provides for an extension of time to complete the phases of the project schedule. The let date of the project has been rescheduled to May 2019.

10) An Intergovernmental agreement with the City of Euharlee to extend the sewer system into the City Limits was approved as presented. The agreement provides for shared funding of the project.

11) A Resolution of support of the construction of the Hwy. 411 Rome-Cartersville Development Corridor was executed and will be forwarded to the Governor, the Lieutenant Governor, the Speaker of House of Representatives and the Department of Transportation to encourage the expeditious selection of the proposed route and construction of the project.

Property:

12) Commissioner Taylor declared certain county owned property as surplus and authorized its sale on GovDeals Internet Auction Service or to otherwise dispose of in accordance with the allowable provisions of the law.

13) Right-of-way on Spring Place Road, Evans Road and Bozeman Road was accepted from C&G Adairsville, LLC. According to Mr. Will Martin with the Bartow County Engineering Department, these are existing County roads, but this dedication of right-of-way serves to provide the required 60' right of way along certain section of these roadways.

14) Commissioner Taylor approved the purchase of 19.05 acres on Boyd Mountain Road to construct an emergency radio tower. The County Administrator explained that in searching the area for the best place to locate a tower, the search team discovered this tract for sale. The County proposes to purchase the entire tract and will sell the remaining acreage that is not needed for the tower.

15) Commissioner Taylor authorized a lease agreement with the State for use of office space in the old courthouse. The space will serve as a satellite office for the Secretary of State.

16) A management agreement with Cherokee Presbytery Properties, Inc. for the Camp Cherokee Retreat Center on Wilderness Camp Road was approved and executed as presented. The property consists of 100 acres of Corp of Engineers property on Lake Allatoona and adjoins the County's greenspace property. The County has agreed to take over management of the property and will pursue changing over the lease with the Corp of Engineers to Bartow County.

Ordinance:

17) An Ordinance amending the Environmental Regulations (Bartow County Code Chapter 34, Article V) regarding disposal and transport of litter, and particularly the provision relating to securing and covering litter during transport was approved as presented.

Alcohol/Malt Beverage Licenses:

The following alcohol licenses were approved as presented:

- 18) BW-23; a consumption on the premises license for Acworth Fish Camp, Groovers Landing Road, Margaret Ware, license holder.
- 19) BW-174, a special event application for Atlanta Steeplechase at Kingston Downs, Gene Vance, license holder.
- 20) BW-175, a consumption on the premises application for Bangin Burgers & Wings on Tennessee Street, Cartersville, Angelo Nizzari, license holder.

Zoning Requests:

- 21) **RZ-2133-17**; an application by Freddy Teems to rezone 1.174 acres at 519 Peebles Valley Road from A-1 to R-1 to divide the tract and be consistent with the surrounding area. The Planning Commission recommended approval 6-0. There were no registered speakers. Commissioner Taylor approved the application as presented.
- 22) **RZ-2135-17**; an application by Adam McCown requesting to rezone .37 acres at 965 Jones Mill Road from A-1 to R-1 in order to bring the property into compliance. The Planning Commission recommended approval 6-0. There were no registered speakers. Commissioner Taylor approved the application.
- 23) **CU-2138-17**; an application by Hecate Energy, LLC requesting a conditional use permit for 44.715 acres on Old Alabama Road in order to install a solar panel generation facility. The Planning Commission denied the application 6-0. **Speaker 1:** Mr. Danny Glass of Applewood Farms Subdivision presented his opposition to the proposed facility, stating that there are 95 homes in the subdivision and none of the homeowners want to see this eyesore in their neighborhood. Commissioner Taylor denied the application.
- 24) **ARZ-2137-17**; an application by the Bartow County Zoning Department to amend the future land use map and rezone 3.466 acres located at 1099 Cass-White Road from Industrial to Commercial and from A-1 to C-1 for future commercial development adjacent to the Highland 75 Industrial Park. The Planning Commission recommended approval with a 6-0 vote. There were no registered speakers. Commissioner Taylor approved the application as presented.
- 25) **RZ-2131-17**; an application by Prestwick Land Holdings requesting to rezone 6.201 acres located on Douthit Ferry Road from A-1 to R-7 in order to develop a Senior Family Apartment Complex. The Planning Commission recommended approval 6-0 with a number of conditions. **Speaker 1:** Attorney Jeff Watkins, Counsel for the applicant stated that the development would be a Senior Independent Living Facility containing 70 units. The plans include a 400 ft. undisturbed buffer, which will include the detention pond. He added that questions were raised from adjacent residents about erecting a fence behind the property. However, if a fence is put up, they will have to take down some of the trees in the buffer zone, which would be detrimental to the buffer itself. **Speaker 2:** Mr. Curtis Hart asked if the greenspace/buffer would be undisturbed and noted that he would like to see a fence with mature evergreen plantings. **Speaker 3:** Ms. Sandy Anderson asked if there would be personnel on the property at all times. She also asked if, after the initial 20 years is up (a condition of the tax credit program), will the property still remain a senior living facility. **Response:** County Administrator Peter Olson commented that it would need to be made a condition of the properties that it would remain a senior living facility. **Speaker 3:** Ms. Anderson asked who would be allowed to visit and/or live on the property, i.e. children or grandchildren, etc. She also asked

what type of material the facility will be constructed with; how well will it hold up over time. **Response:** Mr. Edrick Harris, Vice President of Prestwick Land Holdings responded that the property would be gated with a card key access. The Leasing Office on the property will be open 9-5 daily. The facility will be constructed with Earth Craft Certified products so it will remain in good condition for many years. **Speaker 3:** Ms. Anderson asked if additional phases will be constructed. **Response:** No other phases have been requested. **Speaker 4:** Ms. Beth Mathison asked would there be sub-leasing allowed. **Response:** Mr. Harris stated that they are required to follow DCA guidelines. The management agent must be approved by DCA. If guidelines are not followed, they will not get DCA assistance next year. The lease does not allow sub-leasing of the property. DCA will audit the files of the management for compliance. The audit includes the tenant applications. **Speaker 4:** After commenting about the time required for DCA and other State agencies to respond to complaints, she asked if the county offices will be monitoring the facility for compliance. **Response:** Commissioner Taylor responded that the Community Development Office is complaint driven and will investigate any complaints received as to the property and will make sure that the quality of the neighborhood is maintained. **Speaker 1:** Mr. Watkins asked that the commissioner not require a fence in the buffer area. **Decision:** Commissioner Taylor stated that in considering everything that could possibly come to that area, this is the best option. Commissioner Taylor approved the application with the following conditions: 1) age limit of residents must be 55 or older; 2) a 400 foot total buffer, which includes the detention pond and 200 feet of undisturbed buffer on the east property line; 3) LED dark lighting to be used; 4) no Section 8 housing.

26) CU-2134-17; an application by ForeSite, LLC requesting a conditional use permit for the erection of a telecommunication tower at 7143 Glade Road containing 3.5 acres for Verizon Wireless. **Speaker 1:** Verizon representative and shareholder, Mr. Andrew Rotenstreich, shared that the tower will be a 180 ft. single pole design. Studies have revealed a coverage issue in this area. This will allow coverage throughout the State Park as well as the Glade Road area that currently does not have adequate coverage. They would like to construct the tower on the front of the property since this is the higher elevation. If they move it to the rear of the tract, they will have to build the tower taller and if they go over 200 ft., they are required to put lights on the tower. Anything under 200 ft. does not require lighting. The tract is 350' from the nearest residence. The ground equipment will be shielded with a fence. There will be no traffic, noise, dust or odor. **Speaker 2:** Mr. Terry Scoggins stated that the tower will be right on the road and another eyesore for Glade Road; another thing to reduce property value. The corner of the lot is less than 200' from the adjoining residence. The County has approved other applications that have caused a decrease in property values. **Speaker 3:** Mr. Rex Cox spoke of the tower being an eyesore and the decrease in property values and added that he will be looking at it out his front door. **Speaker 1:** Mr. Rotenstreich stated that the reason for locating the tower on the front of the tract is due to the slope of the property and if they go farther back on the property they will be required to make the tower higher, which would require lighting. He added that a study of the effects of cell towers on property values did not indicate any reduction in overall property values. However, Mr. Rotenstreich concluded that he would like to table the application in order to allow more time to study the site further or to possibly find another location in the area that would be suitable for a tower. Commissioner Taylor approved his request to table the application.

With no other business to address, the meeting was adjourned at 11:08 a.m.

On File
Kathy Gill
County Clerk

APPROVED:

On File
Steve Taylor, Commissioner
5/3/2017

Date