

**COFFEE COUNTY BOARD OF COMMISSION
REGULAR MEETING
MONDAY, FEBRUARY 7, 2022
9:30 O'CLOCK A.M.
COMMISSIONERS MEETING ROOM**

Coffee County Board of Commissioners met in regular session on Monday, February 7, 2022, at 9:30 o'clock a.m. with the following present: Chairman AJ Dovers, Vice-Chairman Ted O'Steen, Commissioners Johnny Wayne Jowers, Jimmy Kitchens and Oscar Paulk. Also present were County Attorney Tony Rowell, County Administrator Wesley Vickers, and Deputy Clerk Princess Zachery. Also present were Agency Directors/Department Heads and members of the public.

Chairman Dovers called the meeting to order and welcomed everyone. Chairman Dovers asked James Jordan, Assistant Road Superintendent, to give the invocation. Everyone participated in the pledge of allegiance to the flag of the United States of America.

Commissioner Johnny Wayne Jowers expressed his condolences to the City of Douglas Mayor Tony Paulk for the loss of his mother, Louise Baker.

Commissioner Paulk made a motion to approve the minutes of the pre-meeting work session and the regular meeting held on January 3, 2022, and the special called meeting held on January 14, 2022, and this was seconded by Commissioner Kitchens. All Commissioners unanimously agreed.

Commissioner Jowers made a motion to approve the agenda, and this was seconded by Commissioner O'Steen. All Commissioners unanimously agreed.

County Administrator Vickers recognized Mr. Don Stokes for his 46 years of service to the Citizens of Coffee County. All Commissioners expressed gratitude and well wishes.

County Administrator Vickers reviewed the road closure application submitted by Mr. Matthew McCullough to close a portion of the dirt road known as Maplewood Road and the entirety of an unopened road known or previously planned to be known as Canterbury Drive. Mr. Vickers stated Mr. McCullough owned all property adjoining the section of the road. Chairman Dovers asked for a motion to enter a public hearing. Commissioner Kitchens made a motion to enter into a public hearing at 9:41 o'clock a.m. and this was seconded by Commissioner Jowers. All Commissioners unanimously agreed. Mr. Matthew McCullough appeared before the Commission. Mr. McCullough stated that the previous owner of the property planned to subdivide. Mr. McCullough further stated that he had no plans to subdivide the property or sell the property. There were no other public comments. Commissioner Jowers made a motion to close the public hearing at 9:42 o'clock a.m. and this was seconded by Commissioner Paulk. All Commissioners unanimously agreed.

Chairman Dovers asked for a motion to approve or reject the resolution of road abandonment for the road closure for a portion of the dirt road known as Maplewood Road and the entirety of an unopened road known or previously planned to be known as Canterbury Drive. Commissioner Jowers made a motion to approve the resolution, and this was seconded by Commissioner O'Steen. All Commissioners unanimously agreed.

County Administrator Vickers reviewed the resolution to amend the records retention plan authorizing the Tax Commissioner to dispose of tax digests as the Tax Commissioner deems fit. Mr. Vickers stated the Heritage Museum would like digest of historical records. He further stated the Tax Commissioner would make record of what was released to the Heritage Museum. Chairman Dovers asked for a motion to approve or reject the resolution. Commissioner Kitchens made a motion to approve the resolution, and this was seconded by Commissioner O'Steen. All Commissioners unanimously agreed.

County Administrator Vickers reviewed the resolution of Coffee County electing not to require mobile home decals. Mr. Vickers stated Senate Bill 193 allowed for governing authority to opt out of the requirement to issue mobile home decals. Chairman Dovers asked for a motion to approve or reject the resolution of Coffee County electing not to require mobile home decals. Commissioner Jowers made a motion to approve the resolution, and this was seconded by Commissioner Paulk. All Commissioners unanimously agreed.

County Administrator Vickers reviewed the agreement with Statewide Engineering for professional services to construct street and drainage improvements on Callaway Drive, Larkspur Drive, Ashby Drive and Sanibel Court. Mr. Vickers stated that the County would receive DOT funding for the project. Chairman Dovers asked for a motion to approve or reject the agreement with Statewide Engineering for professional services for SWE#21-3361 for Callaway Drive, Larkspur Drive, Ashby Drive and Sanibel Court for street and drainage improvements. Commissioner Paulk made a motion to approve the agreement, and this was seconded by Commissioner Kitchens. All Commissioners unanimously agreed.

County Administrator Vickers reviewed the agreement with Statewide Engineering for professional services for resurfacing improvements for 2022 LMIG – SWE #21-3369B. Mr. Vickers stated that the County would receive DOT funding for the project. Chairman Dovers asked for a motion to approve or reject the agreement with Statewide Engineering for professional services for resurfacing improvements for 2022 LMIG – SWE #21-3369B. Commissioner Kitchens made a motion to approve the agreement, and this was seconded by Commissioner O'Steen. All Commissioners unanimously agreed.

County Administrator Vickers reviewed the agreement with Statewide Engineering for professional services for 2021 LMIG – Safety Action Project for striping improvements on various roads SWE#21-3360. Mr. Vickers explained that funding was received earlier in the year. He further explained that this project was chosen due to safety concerns. Chairman Dovers asked for a motion to approve or reject the agreement with Statewide Engineering for professional services for 2021 LMIG – Safety Action Project for striping improvements on various roads SWE #21-3360. Commissioner Kitchens made a motion to approve the agreement, and this was seconded by Commissioner Jowers. All Commissioners unanimously agreed.

County Administrator Vickers reviewed the second amendment to subrecipient agreement Grant No: MITINF-1-009 which included the changing the point of contact from Commissioner Paulk to Chairman Dovers. Chairman Dovers asked for a motion to approve or reject the second amendment to subrecipient agreement Grant No: MITINF-1-009. Commissioner Jowers made a motion to approve the second amendment changing the point of contact to Chairman Dovers and this was seconded by Commissioner Kitchens. All Commissioners unanimously agreed.

Mr. Jason Whiddon, Code Enforcement Director, explained that Mr. Eric Teniente completed a rezoning application to rezone a 5.85 acre tract located at 3623 Douglas Broxton Highway from Commercial to Warehouse Light Industrial. Mr. Whiddon further explained that the applicant wants to change the

zoning for the purpose of manufacturing cargo trailers. Mr. Whiddon further explained that the property is surrounded by R-2, Residential Zoning, R3, Residential zoning and Ag. County Attorney Rowell explained that the original rezoning application for Carson Lumber Company has not been located. He further explained that a subdivision plat is on record for Sapp Subdivision. Code Enforcement Director Whiddon explained that the original Carson Lumber Company grew over time and operated compatibly with its neighbors. Mr. Whiddon further explained the County zoning map was changed to reflect that Carson Lumber Company was zoned commercially, thus reflected the actual way the property was being used. Mr. Whiddon explained that E-911 had received several noise complaints from property owners from May through September 2021. Mr. Whiddon stated the planning commission met on November 18, 2021, and voted to table the rezoning until December 16, 2021. The Planning Commission met again on December 16, 2021, and voted to recommend approval of the rezoning request. Mr. Whiddon stated that staff recommends denial of the request. Chairman Dovers asked for a motion to enter public hearing. Commissioner Jowers made a motion to enter public hearing for rezoning request by Eric Teniente for 5.85 acres located at 3623 Douglas Broxton Highway from Commercial to Warehouse Light Industrial at 10:03 o'clock a.m. and this was seconded by Commissioner Paulk. All Commissioners unanimously agreed.

The following appeared before the Commission:

Mr. Don Brooks, 900 North Chester Ave., stated he owned the property. He explained that as long as he could remember Carson Lumber Company had been in business. He explained that Anthony Deal purchased the property in 1977 and built trusses in the building. He bought the property from Anthony Deal in 2018. In October 2018, he leased the property to Willis Ag Diesel for almost 2.5 years and he did not know of any noise complaints. In late 2020, Eric Teniente approached him about leasing the building for cargo trailer manufacturing. He explained that it was Mr. Teniente responsibility to make sure he could occupy the building as a cargo plant. Residents called with noise complaints and Mr. Brooks told Mr. Teniente about these complaints. At the planning commission meeting, Mr. Teniente offered to cut off music but later found out this was not acceptable. Mr. Brooks stated he was worried about the financial impact on Mr. Teniente if the Commission rejected the rezoning request.

Mrs. Christine Knight, 141 Phelps Rd, explained that she was retired from the County Clerk's office. Mrs. Knight asked the Commission to not punish the residents for the error in issuing the business license. She explained that she had lived at the property for 35 years and it was not pleasant to be outside. She had asked that the Commission would not approve the rezoning request.

Mr. Marvin Knight, 141 Phelps Rd, explained that the work which was being done on the property is heavy industrial. Mr. Knight further explained that when Anthony Deal built the trusses on the property, he sprayed with installation and planted bushes. After the business was closed, the bushes were cleared by the County. He stated that the neighborhood shared a well and he believed there was an issue with paint getting into the community well. Mr. Knight provided a list of homeowners and their desire to be for or against the rezoning request. Mr. Knight explained he would be willing to give Mr. Teniente time to relocate business.

Ms. Angela Fussell, 55 Phelps Rd, has lived at the property since 2010. She explained she had no noise issues with Carson Lumber Company. She further explained that she has called 911 in reference to noise. She stated her house has double installation and can still hear the noise in her house.

Mr. Michael Newton, 1402 Adams Street Douglas, stated that he would like to find a way to help Mr. Teniente. He further stated that residential and commercial have to be able to work together in order for industry to grow.

Mr. Kell Phelps, 336 Phelps Road, explained that he had lived on Phelps Road most of his life. He further stated that zoning should be requested for heavy industrial and not warehouse light industrial. He explained he could feel the vibration of the forklifts. He explained that he was concerned about the paint chemicals. He further stated that he did not want to harm the business but is concerned about the neighborhood.

Mrs. Janet Phelps, 336 Phelps Road, inquired about why the business was not immediately shut down since the mistake was by a County employee. She stated many retirees lived in the neighborhood.

Mr. Eric Teniente, 334 Camp Brooklyn Road, Fitzgerald, stated he felt bad about the noise and would like to resolve the issue. He stated that he would move but he would like for business to continue. He would like to keep employees on payroll and had told the employees to keep the noise down. He further stated that the paint booth is on concrete, and they pressure wash each week.

Mr. Don Brooks requested to readdress the Board. Mr. Brooks explained that he looked at other cargo industries and they were zoned Warehouse Light Industrial. Mr. Brooks stated the paint being used is asphalt-based paint and is not going in the community well.

Mr. Kell Phelps explained that the 17-mile River was 600 yards from the facility and was an important water source.

Commissioner Jowers made a motion to close the public hearing at 10:47 o'clock a.m. and this was seconded by Commissioner Paulk. All Commissioners unanimously agreed. Attorney Rowell polled the Commission for disclosure of themselves, business or family members that have any financial interest whatsoever in the property at issue and if so to disclose their interest. No Commissioners had a conflict of interest. Commissioner Jowers asked for the staff to reiterate their recommendation. Code Enforcement Director Whiddon stated the staff recommended denial of the request. Chairman Dovers asked for a motion to approve or deny the rezoning request by Eric Teniente for 5.85 acres located at 3623 Douglas Broxton Highway from Commercial to Warehouse Light Industrial. Commissioner Jowers made a motion to deny the request, and this was seconded by Commissioner O'Steen. All Commissioners unanimously agreed. Commissioner Kitchens stated that he would like to extend the time period to 12 months for relocation due to the exposure and liability. Commissioner Jowers stated that the extension should be in accordance with the Calendar year and should end December 31, 2022, and both lawyers should get together and work out a plan. Commissioner Kitchens made a motion to extend the period of relocation for 12 months from today's date and no business license would be reissued and this was seconded by Commissioner O'Steen. All Commissioners unanimously agreed.

Mr. Jason Whiddon, Code Enforcement Director, stated that Mr. Alfredo Cuello has made an application for a rezoning request for 4.13 acres located at 2225 Highway 221 North from Commercial to Warehouse Light Industrial to manufacture cargo trailers. This is the first reading of this request.

Michael Newton, 1402 East Adams Street, Douglas, appeared before the Commission inquiring about how the County was dissimilating the funds acquired from the American Rescue Plan. County Administrator Vickers explained that the County had given incentives to vaccinated employee and

premium pay bonus was given to employees. He further explained the County was looking at current operations and infrastructure projects. Mr. Newton asked if the County was considering to help the residents of the County? County Attorney Rowell thanked him for his comments and will make note of concerns and will address.

Olivia Coley Pearson, 614 Taylor Circle, appeared before the Commission inquiring about the amount of funds received from AARP. County Administrator Vickers stated the County had received 4.2 million in funding to date.

Commissioner Jowers made a motion to adjourn the regular meeting at 11:03 o'clock a.m. and this was seconded by Commissioner Kitchens. All Commissioners unanimously agreed.

Deputy Clerk

Chairman