

GREENE COUNTY BOARD OF COMMISSIONERS

JULY 26, 2024 CALLED MEETING

Call to Order: Chairman Usry called the meeting to order at 8:00 a.m. and led the invocation.

Roll Call: Commissioners Deering, Smith, Lindsey, Filice, and Chairman Usry were present. Also present was County Manager Byron Lombard.

Consideration of an appeal from an administrative decision denying an accommodation request under the FHA:

Before proceeding, Chairman Usry discussed the need to adopt some procedures for how to conduct the Appeal Hearing. Commissioner Lindsey motioned to establish the following procedures for the Appeal Hearing:

- Staff provide a brief background of the case;
- Appellants get 10 minutes to present their case;
- County Attorney gets 10 minutes to present its case;
- Appellant gets rebuttal if they had time remaining;
- Board asks any questions to Appellants, staff, or County Attorney;
- Board make motion and votes on motion.”

Commissioner Smith seconded the motion. Motion carried unanimously.

The Board was provided background that the Pates, homeowners of 1051 Twin Rivers Road, were cited for violating the Zoning Ordinance in relation to the keeping of goats at their property. After various interactions between staff, the Pates and legal counsel, the Pates cited the Fair Housing Act and asked County staff for a “reasonable accommodation” to keep the goats. The reasonable accommodation proposed affords the Pates the ability to maintain their goats on their non-lakefront parcel across the street, with some vegetative screening. This compromise was intended to protect the character of the neighborhood and the lakeshore residential Zoning District, while still affording the Pates the ability to keep the goats in close proximity. The Pates advised they wished to appeal staff’s offer of a reasonable accommodation to the Board of Commissioners.

The Pates and Jan Brazier signed up to speak and were allowed to address the Board before the hearing was underway. Moving to the appeal itself, the Pates’ attorney Jay Boswell spoke in favor of the Pates being offered an even more favorable reasonable accommodation while the County’s attorney Paul Frickey urged the Board to deny the Pates’ appeal. The Pates’ attorney then offered a rebuttal to the Board and stressed that the reasonable accommodation wouldn’t allow the Pates to enjoy the goats and would put the goats at risk of predators.

There was discussion regarding the size of the goats, what precedents could be set by any Board action, and the Zoning Ordinance’s previous and current provisions relevant to the request. There was ensuing discussion regarding what conversations may have taken place between the Pates and previous staff concerning whether the Zoning Ordinance was permissive of keeping goats in LR1 zoning. The Commissioners then considered whether other reasonable accommodations could be considered, how long the goats have been owned by the Pates, and the status and timing of the goats getting registered as emotional support animals. The County Attorney revisited the process that led to the appeal request before the Board, and he clarified some questions regarding the Zoning Ordinance.

Commissioner Filice motioned to deny the appeal requested by William and Bobbie Pate recognizing that the County has offered a reasonable accommodation under the Fair Housing Act for the property located at 1050 and 1051 Twin Rivers Road. Commissioner Deering asked what the procedural effect would be of voting to deny, and County Manager Lombard and Attorney Frickey advised that the staff could still offer to the Pates a reasonable accommodation or another reasonable accommodation could still be offered later on. Chairman Usry seconded. Motion to deny failed 2-3 with Chairman Usry and Commissioner Filice voting in favor, and Commissioners Deering, Smith and

Lindsey voting against. After additional discussion regarding the implication of voting against denying the motion, there was consensus to revisit the vote taken and revisit the issue with an eye towards some other alternative offered and a different reasonable accommodation being offered to the Pates. Commissioner Smith motioned to deny the appeal as submitted, provided, however, that the Board desires that the Chair, Vice-Chairman and staff meet with the stakeholders to further modify the reasonable accommodation to see if an agreement can be reached. Commissioner Deering seconded. Commissioner Lindsey directed a question to the Pates to ask whether they were willing to work with the Board on the motion's contemplated course of action, and they agreed. Motion carried unanimously.

Consideration of Lawn Maintenance Need to Core-Aerate the Courthouse Lawn:

The Board received background information that the Courthouse lawn was in need of aeration per the contracted landscaper. Commissioner Smith motioned to approve the core aeration of the courthouse lawn. Commissioner Lindsey seconded. Motion carried unanimously.

Consideration of an Intergovernmental Agreement with the Greene County Development Authority – Wastewater Collection System Expansion Project: The Board received background information that a wastewater collection system expansion project was incorporated into an intergovernmental agreement with the Development Authority that is ready for Board consideration. Commissioner Lindsey motioned to approve the Intergovernmental Agreement between Greene County and the Greene County Development Authority regarding the project to expand wastewater collection to the Richland Connector and Walker Church areas. Commissioner Filice seconded. Commissioner Smith discussed the County's funding commitment, and County Manager Lombard responded that, as the County sells its 579 residential units to others, the County would be able to recover its funding commitment. Motion carried unanimously.

Consideration of a Preliminary Plat Request – Lake Oconee Estates and Beach Club: The Commissioners reviewed a request seeking Preliminary Plat approval for 372 lots to be created from 264.18 acres zoned PUD. Commissioner Deering motioned to approve the Preliminary Plat submitted for the Lake Oconee Estates and Beach Club creating 372 lots from 264.18 acres, provided, however, that the approval is conditioned upon the applicant providing written verification of development of, or connection to, a qualifying wastewater collection system to serve the development. Commissioner Lindsey seconded. Motion carried unanimously.

Consideration of a Final Plat Request – The Homesteads, Section VI: The Commissioners reviewed a request seeking Final Plat approval for 7 lots to be created from 33.79 acres. The property is located in the Reynolds Lake Oconee Development and is zoned PUD. Commissioner Deering motioned to approve the Final Plat submitted by Oconee Land Development, LLC for The Homesteads, Section VI, creating 7 lots from 33.79 acres. Commissioner Filice seconded. Motion carried unanimously.

Consideration of a Final Plat Request – Richland Terrace Golf Cottages: The Commissioners reviewed a request seeking Final Plat approval for 6 lots to be created from 3.66 acres. The property is located in the Reynolds Lake Oconee Development and is zoned PUD. Commissioner Filice motioned to approve the Final Plat submitted by Oconee Land Development, LLC for the Richland Terrace Golf Cottages creating 6 lots from 3.66 acres. Commissioner Lindsey seconded. Motion carried unanimously.

Consideration of an Updated Employment Agreement: The Board received background that an updated Employment Agreement for the County Manager was prepared for Board consideration. Commissioner Lindsey motioned to approve the Employment Agreement for the County Manager making the Agreement effective upon adoption to replace the Agreement adopted January 8, 2003. Commissioner Filice seconded. Motion carried unanimously.

Chairman Usry recessed the meeting for 10 minutes, and the meeting was moved to the conference room.

FY2025 Budget Discussion: The Board reviewed the Fiscal Year 2025 budgets with the County Manager and Finance Director, asked questions, discussed budgetary allocations, and provided other input. No official action was taken.

Adjournment: Chairman Usry adjourned the meeting at 11:55 a.m.

Respectfully Submitted,

Sylvia V. Hill, County Clerk

The above minutes were adopted and approved this day 13th day of August, 2024.

Gary Usry, Chairman

Jeffery L. Smith, Vice-Chairman

Angela Walker Deering, Commissioner

Dee Lindsey, Commissioner

Ernie Filice, Commissioner