

The Brooks County Board of Commissioners met for its Monthly Work Session and Regular Monthly Meeting on Monday, August 5, 2019 at 5:00 p.m., in the Commissioners Meeting Room located at the Brooks County Office Building. Commissioners present were: Mr. James Maxwell, Chairman; Mr. Willie Cody; Mr. Rhett Rowe; Ms. Myra Exum; and Mr. Patrick Folsom, Vice Chairman. Others present were: Ms. Jessica McKinney, Administrator; Ms. Patricia Williams, County Clerk; Mr. James Burchett, County Attorney; and various residents.

PUBLIC HEARING – Quitman II Solar Project Special Exception Request

Chairman called the public hearing to order; and advised the public of the guidelines of the hearing. NextEra Energy will speak; we invited a neutral speaker, Dan Geller of UGA Extension, Athens, GA to present Pros and Cons of the solar project. Citizens were called in the order in which they signed in to be heard; beginning with all opposing and then closing with all in support. Due to volume of interests to be heard, each speaker was allowed five (5) minutes to speak and provide their position. The purpose of the Public Hearing is to allow citizens to be heard; but not to serve as a question and answer or ask a Commissioner to take a position or offer an opinion.

A. Steve Land, NextEra Energy, stated he is excited about the Quitman II Solar Project. The project will generate \$10 million within 30 years; with \$5 million going to the school. Jobs will be created; approximately 300; which 70% of employees hired will be local; local businesses will generate revenue from supplies to service. Wetlands have been completed; have worked with EPD and DNR. Further stated they are working in harmony with community; building a relationship. NextEra has donated \$40,000 to the Boys and Girls Club, assisted with funding for Skillet Festival; and also the back to school drive. There will be no water or air pollution; it will not negatively impact hydraulic (on Hodges Road); and has worked hard to come up with a plan for the site not to be visible. There will be a 40 ft. set back on Hodges Road; will stay in native vegetative buffer; and plant vegetation. They have provided a Decommissioning and Road Usage Agreement for the program. Mr. Land asked the Board to consider approving request for the Solar Project.

B. Dan Geller, UGA Extension, advised the Board that there is no danger from the environmental side; looks good and there is no threat; in fact solar is preferred rather than coal; believes it is great for State of Georgia. Solar Project will make money; and is a chance for Georgia to use this resource. He emphasized to the Board to make the right decision for our County.

C. Open Floor to Citizens Signed in to Speak

Ms. Sherrie Davidson, Senior Planner, Southern Georgia Regional Commission, presented the application of Quitman II Solar LLC for a special exception to construct and operate a utility solar power facility for a solar project located approximately seven miles northeast of the City of Quitman, east of Hodges Road and North of Dry Lake Road. The property is within the Agricultural zoning district, in unincorporated Brooks

County; being specifically described as being 1,698 acres within seven (7) parcels. Brooks County Planning Commission met June 18, 2019 and heard comments from the public. Staff, SGRC, recommended approval of the application for a special exception. Ms. Davidson stated solar is allowed by special exception in County Zoning Ordinance; the application is complete; kept in compliance with the existing Georgia Model Solar Ordinance; and is treated no different than any other property owner. There are no more health threats than cell phones and microwaves; and rarely contaminates land. Planning Commission was not comfortable with making a decision, therefore; the Board has the authority to approve or deny the request. If the Board does not want to make decision, it will go back to the Planning Commission. Ms. Davidson stated the application request meets all requirements.

Chairman asked those in opposition of the special exception request to speak.

Jonathan Waters, Attorney, spoke on behalf of Bruce Horne, Peggy Howard, Charles Howard, Louis Lee, Barbara Lee, and Cyndi Johnson. He commented that the solar project counters the County's Comprehensive Plan to preserve the forest land. County has duty to forecast growth where accountable and open door to other areas. He stated NextEra is trying to boot strap in the Quitman II Solar Project to avoid paying taxes; because they are the same company. Also commented that the \$1 million Decommissioning Bond Agreement is not sufficient.

Edwin Polk opposes the project; and begged the Board to not look the other way. He is proud to be a resident and cares. He feels his neighbors will be greatly harmed; and will have an adverse effect on neighboring property.

Henning Sdweling stated he is not a resident; but has friends that own property. He has been to property and seen history. He has not seen the environmental study.

Shannon T. Lasseter provided photographs of Rosen Pines Plantation; has been in business for 46 years. If the trees are cut to make level for panels, the water will go down Hodges Road.

Lamar Caylor stated he is not against the solar project; but the location; a lot could change in 30 years. He inquired is it worth to destroy prime land for \$10 million over 30 years? He asked the Board to seriously consider what it would do for Brooks County.

Abigail Sowell stated the solar project would destroy the land; and no one can tell her wildlife will not be impacted. Ms. Sowell asked the Board to think about the future and what they would be doing. She further stated there are plenty of companies that would invest in solar; it will not go away. The \$1 million decommissioning bond is low; and may cost Brooks County money to decommission the solar panels.

Brian Duck lives in northern part of Brooks County, and stated he will be surrounded by solar panels on both sides. He asked the Board to think about what it will do to Brooks

County. Stated he is not against clean energy, but not in his backyard; there are other ways to make money than to bring in solar panels.

Shad Stripe stated his main point is heritage, values, hunting, fishing and the Board is on the bridge of a bad decision. Stated the application submitted was not by the owner.

John Quarterman stated that Florida Power & Light is a subsidiary to NextEra. Why target Brooks County for what they do not do in Florida? Stated the application is incomplete and inconsistent. Asked about prescribed burns and who will get complaints?

Chairman called for those in support for the special exception request to speak.

George Wallace stated he worked for Sabal Trail and Blackmon; and they take pride in what they do; and accumulate jobs. The donation to the Boys & Girls Club was not done because of the controversy; but because they care. They will employ citizens and bring revenue to businesses; and will make sure property is restored when they leave.

Brett Hulme, Representative for employees from the Quitman I Solar Project, stated they trained over 400 residents and they are OSHA Certified. Stated to the Board they have taken a step forward with the first solar project; do not step back.

Tiffany Holmes, Director, Brooks County Development Authority, requested the Board to give consideration to supporting the Quitman II Solar Project. It is their opinion that NextEra Energy Resources has gone above and beyond to mitigate concerns, and has exceeded all permitting requirements at the local level. NextEra has proven itself a community partner and we anticipate that partnership to continue. Ms. Holmes further stated that the Authority understands we must take measures to ensure the future success of our community, and believe that supporting a diverse economy is important to that end.

William Jordan stated his interest is financial; benefits and cost primarily. Commented that the \$1 million decommission is an insult; due to decrease in value and worse would be lower income. (Chairman clarified he was in opposition as we are now listening to those who support the exception). Mr. Jordan confirmed he was in opposition.

Corey Hayes, Biologist, stated the environmental hydrology falls under general construction regulations. All water leaving the site is measured. EPD was on site during construction; wetlands are not impacted; streams protected by buffer. The property is deemed pristine; affected by silver cultural practices; the deer has movement and will adapt. The entire area is not fenced.

Jonathan Wells, Attorney for NextEra Energy, stated one solar project is complete; and the proposed Quitman II Solar Project is almost done; they have owned the property since May 5th. The decommission site will be removed at year 15 which is consistent with

other agreements. The trees will not be harmed, a fence will be around the operational area; and believes the application should be granted.

David DeSantiago spoke as a supporter, stating NextEra has been a great supporter to the Boys & Girls Club.

Janie Jones, Teen Center Coordinator with Boys & Girls Club, also praised NextEra for their support of the Boys & Girls Club activities; they have assisted with buying supplies needed for a project at Teen Center; and donated \$40,000.

Katheryn Patrick, Chamber of Commerce, appreciates NextEra volunteering their support; and financial support; and thanks them for what they have done for the community. With their sponsorship, the Teen Center is able to get a new stage.

Meddy Settles, stated NextEra has supplied jobs with the Quitman Solar I Project, taken 1600 applications, 85% of which are employed by locals; they have paid medical insurance and dental. If this special exception is not considered for approval, 400 people will not have jobs.

Chairman called as to whether we missed anyone. Neil Fleckenstein acknowledged he was outside when his name was called. Chairman allowed him to speak. He stated he is not against the special exception; but has concerns in regards to Comprehensive Plan, Economic Development; and protecting areas.

Administrator presented a binder filled with letters of support for the special exception approval that was provided by the Economic Development team.

Chairman closed Public Hearing at 7:23 p.m. and went into the Work Session.

WORK SESSION – Chairman called Work Session to order.

Reports from Committees/Departments

A. Scott Routsong – Brooks County Library – Presented an updated report of activities for August 2019.

- Library is currently working on expanding hours from closing at 1:00 p.m. on Fridays and Saturdays to closing at 4:00 p.m. on Fridays and Saturdays.
- Working on a fine forgiveness plan.
- Summer Vacation Reading Program (750) Participants, (27) programs; and marquee entertainers (3).
- Lego club ongoing, currently hosting job fairs, quilt raffle raised \$312.
- State "Lib-tech" grant is \$10,115.46.
- Thanked the Board for continued support.

B. Ben DeVane – County Surveyor/Engineer

- LMIG Update – most of paving complete and resurfacing; all road work is done except Blue Springs Road. There are a lot of pot holes and it is set for striping. The LMIG ends October 18, 2019.
- Speed Humps – have guidelines and information on installation of speed humps. Specifically for conversation to address Augusta Road concerns.
- Researched Ellenburg Road, which is one of 11 roads for ROW width; pulling plats and deeds.
- Jmar Loop – there is 552 feet of Jmar Trail and 550 feet on Sunflower Trail; and 20 feet wide pavement, driveways for 20 houses and there are four unsold lots. It has been on list for Special Projects.

C. Charles Dave - Elections – Elections Supervisor, Charles Dave, provided Board information on status of re-opening the Barney Voting Precinct. Citizens requesting the precinct be re-opened have appeared before the Board for consideration. Mr. Dave presented information informing the Board of the Georgia Statutes and Legislation related to precincts and polling places. Legislation states it is the duty of Elections Superintendent to select polling places. The Superintendent of a county or the governing authority of a municipality shall select and fix the polling place within each precinct and may, either on his, her, or its own motion on petition of ten electors of a precinct, change the polling place within any precinct.

Chairman closed Work Session to go into the Regular Meeting at 7:23 p.m.

1. Call to Order – Chairman called meeting to order.

A. Prayer & Pledge – Pastor Leroy Hunter led all in attendance in prayer and pledge of allegiance.

2. Approval of Agenda

A. August 5, 2019 Regular Monthly Meeting – Ms. Exum made the motion to approve the agenda, Mr. Cody seconded. Vote was unanimous.

3. Approval of Minutes

On a motion by Mr. Cody, seconded by Ms. Exum, the Board unanimously approved the following minutes with corrections to the **July 1 Regular Monthly Meeting, page 5 of 5, changing the motion seconded by Mr. Folsom to being seconded by Mr. Rowe.** Vote was unanimous.

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| • Special Called Meeting | June 19, 2019 |
| • Special Called Meeting | June 24, 2019 |
| • Monthly Work Session & Regular Monthly Meeting | July 1, 2019 |
| • Special Called Meeting | July 10, 2019 |
| • Special Called Meeting | July 25, 2019 |

4. Appearances

A. Cora Phillips – Facility Use of Ag Auditorium – Ms. Cora Phillips submitted a request for use of Ag Auditorium for a family gathering on August 31, 2019. Mr. Folsom made the motion approving the request to use the Ag Auditorium on August 31, 2019 for a family gathering, Mr. Cody seconded. Vote was unanimous.

B. Mattie Neloms – Use of Facility – Ag Auditorium -Administration received two requests from Ms. Mattie Neloms for permission to use Ag Auditorium on September 7, 2019 and November 28, 2019. On September 7th, the facility will be used for four hours for the Pastor's 20th Anniversary; and on November 28th, Thanksgiving Dinner for six hours. Administrator advised Board Ms. Neloms deferred her requests until the September meeting.

C. Gary Couch – Augusta Road – Mr. Couch previously appeared before the Board requesting consideration of the installation of speed bumps on Augusta Road. It was explained to Mr. Couch that there is a difference between speed bumps and speed humps. Administrator advised Mr. Couch that he has been heard by the Board; and has received information regarding the speed humps and installation; and she will get the information in the mail to him.

D. Bill Branham – Installation of Infrastructure to Allow for Business Development – Mr. Branham called and deferred his request until the November meeting.

5. New Business

A. Quitman II Solar Project Exception Request – Mr. Folsom made the motion to approve the special exception request by NextEra Energy to construct and operate a utility solar power facility for a solar project with conditions. County Attorney reviewed the proposed Decommissioning and Road Usage Agreements presented by NextEra; and recommended changes to Attorney for NextEra and changes were agreed upon. County Attorney discussed recommendations for changing language in the event of default regarding trial by jury in both agreements. Changes were also recommended regarding terms stated in the Decommissioning Agreement; irrevocable bond section; waiving in both agreements language related to jury trial by judge. County Attorney also recommended language corrections in case NextEra goes defunct; and making sure the natural vegetative buffer is adhered to; 80 feet set back of which first 40 feet is plant vegetative buffering; Mr. Rowe seconded. Vote was unanimous.

B. Renaming of the Washington Street Gym – Chairman discussed renaming the Washington Street Gym. An organization is interested in investing in repairs/improvements of the facility. Mr. Rowe made a motion to approve the

renaming of Washington Street Gym to Brooks County (WSHS) Community Center, Mr. Cody seconded. Vote was unanimous.

C. ACCG Delegate for Legislative Leadership Conference – Administration received notification from ACCG that it is time to appoint a County Voting Delegate for the 2019 Legislative Conference. Ms. Exum is currently serving as the County's delegate. On the motion by Mr. Cody, seconded by Mr. Rowe, the Board unanimously approved Ms. Exum to continue serving as the voting delegate for Brooks County for the upcoming Legislative Leadership Conference business session to be held on October 3, 2019.

D. 2020 LMIG Program Application – Administration received announcement from GDOT that the applications for Fiscal Year 2020 opened July 1, 2019. The formula for Brooks County's 2020 Program is \$757,921.94 and our local match is 10%. All electronic LMIG applications must be submitted and received no later than January 1, 2020. The Board will schedule a work session to review and evaluate the road project list.

E. Wayne Waldron – Tax Assessor – Traylor Business Contract Renewal – Chief Tax Appraisal, Wayne Waldron, requested to appear for the Board's approval on the renewal contract for Traylor Business Services, Inc. Ms. Exum made a motion to approve the contract renewal for Traylor Business Services, Inc.; Mr. Rowe seconded. Vote was unanimous.

F. JJ Allen – Road Department Invoice Approval – An invoice was presented to Administration for Board discussion/approval; due to the amount being over the Administrator's signature limit; and outside of the County's process of obtaining a PO. On the motion by Mr. Cody, seconded by Mr. Folsom, the Board unanimously approved payment of the invoice submitted by Road Supervisor, JJ Allen, in the amount of \$5,000. The Board and Administration stressed to Mr. Allen the importance of adhering to the County's Purchasing Policy.

6. Unfinished Business

A. Road Department Vehicle Purchase – Road Supervisor, JJ Allen, presented two quotes to the Board for review to purchase a vehicle for the Road Department; but the County's Purchasing Policy requires three bids be submitted. The Board requested Mr. Allen to go back and obtain three bids; at least one from local dealer, and bring back to Board. Ms. Exum motioned to table this issue until Mr. Allen obtains three bids with same vehicle specifications to qualify for consideration, Mr. Folsom seconded. Vote was unanimous.

B. County Administrator Vehicle Purchase – Ms. Jessica McKinney, Administrator, presented a quote for the purchase of a vehicle for Board's approval. Mr. Folsom made the motion to accept the bid for the capital purchase of a 2018 Ford Explorer in the amount of \$35,188; the purchase of the vehicle was unanimously approved on a seconded by Mr. Cody.

C. Library Board Appointment - Administration has received 4 applications for appointment to the Library Board: Caroline Barnes, Joseph Thomas, Peggy Wilson, Victim Advocate; and Mary Henley. Ms. Exum made the motion to appoint Peggy Wilson; Mr. Rowe seconded. Chairman called for the vote. Ms. Exum and Mr. Rowe voted yes. Mr. Cody and Mr. Folsom voted no. Vote was tied 2 to 2. Chairman called for nomination. Mr. Cody made the motion to appoint Mary Henley to the Library Board, Mr. Folsom seconded. Chairman called for the vote. Mr. Cody and Mr. Folsom voted yes. Ms. Exum and Mr. Rowe voted no. Vote was tied 2 to 2. Chairman broke the tie and voted in favor of Mary Henley. Vote was 3 to 2. Ms. Henley was appointed to the Library Board.

D. Courthouse Roof Repairs - Administration provided an update to the repairs for the Courthouse roof. Clerk found documentation and contact number for Whitco Roofing, regarding when the roof was replaced in 2012. According to the documentation, the roof is still under warranty. Whitco Roofing has been contacted; messages have been left; but have not received a response yet.

7. County Administrator Notes/Comments

A. Thomasville Sanitation Letter and Pick Up Map/Schedule – County Administrator provided information to the Board and public regarding the new trash service with Thomasville Sanitation. Administration office has been flooded with calls from citizens regarding their trash service, some not picked up, some not received new cans; and some still have Advanced Disposal cans. Administrator stressed that it will all be worked out soon; Thomasville is diligently working to get cans replaced after being notified of Advanced Disposal early pull out. Thomasville will continue to deliver cans and provide an information packet including a map/schedule.

B. Communication Platforms – Administrator informed the Board that we are working on better communication platforms to get information out to the public in a timely fashion; and also working on the County's website.

C. Thank You! – Administrator, Jessica McKinney, since July 3rd, thanked the Board, Staff, and Community for welcoming her; she is excited; there are lots of projects and things to come; she look forward to it.

8. Commissioners Notes/Comments

A. Rhett Rowe - District 1 – Thanked everyone for attending.

B. Patrick Folsom, District 2 – Thanked everyone and God bless.

C. Willie Cody, District 3 – No comment.

D. Myra Exum, District 4 – None.

E. **James Maxwell, District 5** – Thanked everyone; Administrator and Staff.

9. **Executive Session – None**

10. **Adjournment** - Ms. Exum made the motion to adjourn regular meeting at 8:21 p.m.; Mr. Rowe seconded.

Mr. James Maxwell, Chairman
Ms. Jessica McKinney, Administrator
Ms. Patricia A. Williams, Clerk