

**HEARD COUNTY BOARD OF COMMISSIONERS MEETING**  
**October 17, 2023 - 6:30 P.M.**

The Heard County Board of Commissioners held a regular Commissioners Meeting on October 17, 2023, at 6:30 p.m. in the Commission Chamber of the Heard County Administration Building. In attendance at the meeting were Chairman Lee Boone, District 2 Commissioner James Perry, District 3 Commissioner Iris Harris, District 4 Commissioner Larry Hammond, and District 5 Commissioner David Walls. District 1 Commissioner Larry Hooks was unable to attend due to medical issues. County Attorney Michael Hill was also present at the meeting.

**Agenda Item # 2 - Welcome, Invocation, and Pledge to the American Flag**

Chairman Lee Boone called the meeting to order, welcomed everyone present, and gave the invocation.

**Agenda Item # 3 – Public Hearings**

The Chairman went over the rules for public comments and asked that each person speak directly into the microphone. County attorney, Michael Hill, reviewed the list of names on the sign-up list to ask what public hearing item the listed individual was there to speak on behalf. He went on to explain the 10-minute time limit on each item and if there were multiple people, they may want to elect one person to speak on their behalf.

**a) Special Use Application - Viridi RE Development LLC for Solar Farm on Pearidge Road**

Chairman Boone opened the public hearing. He stated the Planning Commission gave a recommendation to the Board to deny the application. Ellen Smith, with Parker Poe, addressed the Board regarding the special use application. Ms. Smith stated the property is 1700 acres of timber land that has been owned for the past 70 years by the Worth

family. Chattahoochee Hunting Club utilizes the property and will continue to do so. The property is not productive farmland. The property is zoned as agriculture, therefore there is no need to rezone the property. Viridi RE Development has leased 720 acres for the proposed project. The intent of the project is to distribute electricity to the Southern Company, there is an existing interconnection agreement with Southern Company. The Southern Company would purchase the power directly, at a wholesale price, from Viridi RE Development LLC. There has been no purchase agreement made with the Southern Company yet. On a motion (Perry) and second (Walls), the Board voted unanimously to suspend the time limitation to allow the one pro, non-associated applicant, to speak for three to five minutes. Debra Jo Steele, of Joe Stephens Road, spoke in favor of the solar farm. She stated that Viridi RE Development had kept their word and donated to the Heard County Pregnancy Resource Center. She went on to say she thought it would help decrease the tax rate for the residents. Anthony Deluca, of Fairgreen Trace, Newnan, Georgia, spoke in opposition. He stated the solar farm would be 100 feet from his land. Mark Callahan, of 907 Pearidge Road, spoke in opposition to the solar farm. He is concerned with aesthetics, property values, the impact on wildlife, runoff and gradient challenges, environmental and health dangers, radiation, and pollution. Commissioner Hammond asked what happens if the company goes out of business or when the lease is up, who is responsible for clean-up. Ellen Smith stated that Viridi had no issues with obtaining a surety bond and that the lease agreement with the landowner addresses the clean-up of the property at the end of the lease. Hammond asked if Viridi would be paying sales tax. Ms. Smith stated that the sale to Southern Company is a wholesale price, so they would not be paying sales tax. She stated that the customers of Southern

Company would be who pays the sales tax. Javier Latre, an engineer for Viridi, addressed the Board to state that there are no batteries associated with the solar farm. He stated that the energy would not be stored in batteries, that it would be directly connected to the power grid. There would be around 200,000 solar panels, that are made with materials that are the most recent technology. Solar expert for Viridi, Tommy Cleveland of Laurel Hills, North Carolina, addressed the Board. He explained how the electricity is produced. Commissioner Perry asked if Viridi could have a setback with surrounding property owners that are 1000 feet from the property lines. Javier Latre stated that they would look at accommodating that request. On a motion (Perry) and second (Hammond), the Board voted unanimously to close the public hearing on the Solar Farm.

**b) Special Use Application - Jan Ridley Buchwald, Wedding Venue located on Frolona Road**

Chairman Boone opened the public hearing. He stated the Planning Commission gave a recommendation to the Board to deny the application. Brent Buchwald, of Hammington Drive Sharpsburg, Georgia, spoke on behalf of Janet Ridley Buchwald. Mr. Buchwald stated that the venue would be in the center of 262 acres, surrounded by trees. The venue will be roughly 5,600 square feet and would take up 5 acres. The land is currently being used as timber land. The closest adjacent property is about 1,582 feet from the venue. The venue will be 1,400 feet from the road. The capacity of the venue would be two hundred people and close at 9:00 pm on weekends. Robert Ridley, of Shipley Road in Cooksville, Tennessee, spoke in favor of the venue. He shared some family history with the Board regarding the property. Melissa Griffis, of Horne & Griffis, P.C. of

Newnan, Georgia spoke in opposition to the wedding venue. Ms. Griffis stated that the venue does not support the historic preservation of the district. Adding the venue would create a change in appearance, increase traffic in the area, and affect wildlife. On a motion (Perry) and second (Harris), the Board voted unanimously to allow the residents of the area to speak three to five minutes. Frank Bradshaw, of Newnan, Georgia, spoke in opposition of the wedding venue. Mr. Bradshaw owns a farm near the proposed venue. Commissioner Perry asked Mr. Bradshaw if he lived on his property located in Franklin. Mr. Bradshaw stated that he did not live on the property but visited it often. Commissioner Harris asked Mr. Bradshaw if he has made any improvements to his property since 2002, when the area was deemed historical. Mr. Bradshaw stated that he built a barn around 2010, that had been approved through the proper channels within the county. Lana Bussey, of Frolona Road, spoke in opposition of the venue. Mrs. Bussey stated in 2002 she helped establish the Davis-Ridley Historic District that was approved by the Board Of Commissioners. She further states that the current zoning map is not correct, she believes the proposed land for the venue is inside the Historic District. She asked the Board to deny the application because it does not meet the intent of what the Historic District meant when it was created. Chairman Boone stated that he remembered when the Declaration had been created for the district. He also stated that he had done his due diligence to locate minutes or records that would show where there were changes made to the original forty-seven-hundred-acre Historic District after 2002 but he has not located any. He stated that does not mean they do not exist; he just has not been able to locate any. Commissioner Harris asked if there were any stipulations or covenants placed on the properties when the district was created. No one knew of any.

Robert Bussey, of Frolona Road, spoke in opposition to the wedding venue. He is concerned about noise and increased traffic. David Carroll, of Frolona Road, spoke in opposition to the wedding venue. He is concerned with noise, increased traffic, and abiding by the rules of the Historic District. On a motion (Perry) and second (Harris), the Board voted unanimously to close the public hearing.

**c) Special Use Application - Mount Olive Baptist Church, land located on Hwy 34 E**

Chairman Boone opened the public hearing. He stated there was no known opposition of the application, he asked a representative of the application to speak to the Board. Travis Smith, of Roanoke, Alabama, spoke on behalf of Mount Olive Baptist Church. He is the pastor; he would like to relocate his church from Salem Road to five acres of property that has been purchased on Hwy 34 E. He stated the building would be around two thousand square feet and accommodate a capacity of 200 people. On a motion (Hammond) and second (Walls), the Board voted unanimously to close the public hearing.

**d) Rezone from Commercial to Agriculture - Reed Lewis**

Chairman Boone opened the public hearing. He stated the Planning Commission gave a recommendation to the Board to approve the request. Reed Lewis, of Rock Mills Road, addressed the Board to request two acres of commercial property be rezoned to agriculture. He is wanting to give the property to his son so he will have enough road front property to add a driveway. On a motion (Hammond) and second (Walls), the Board voted unanimously to close the public hearing.

**Recess 9:40 p.m.**

**Call to Order 9:48 p.m.**

#### **Agenda Item # 4 – Amend Agenda**

There were no amendments to the agenda.

#### **Agenda Item # 5 – Approval of Minutes**

The minutes from the September 19, 2023, regular Commissioner’s meeting was presented to the Board for approval. On a motion (Perry) and second (Hammond), the Board voted unanimously to approve the minutes from the September 19, 2023, regular Commissioner’s meeting.

#### **Agenda Item # 6 – New Business**

##### **a. Decision – Application from Viridi RE Development LLC**

On a motion (Perry) and a second (Walls), the Board unanimously voted to postpone the decision on the Solar Farm until the next regularly scheduled Commissioners meeting in November.

##### **b. Decision – Application from Jan Ridley Buchwald**

On a motion (Harris) and a second (Walls), the Board unanimously voted to approve the Special Use Application submitted by Jan Ridley Buchwald.

##### **c. Decision – Application from Mount Olive Baptist Church**

On a motion (Perry) and a second (Hammond), the Board unanimously voted to approve the Special Use Application submitted by Mount Olive Baptist Church.

##### **d. Decision – Application from Reed Lewis**

On a motion (Walls) and a second (Hammond), the Board unanimously voted to approve the rezone of two acres from commercial to agricultural.

**Agenda Item # 7 – Old Business**

**a. Request for Easement from Georgia Transmission (Update)**

Chairman Boone stated he was waiting on estimates for new playground equipment.

**Agenda Item # 8 – Public Comments**

Debra Joe Steele, Joe Stephens Road, Franklin, GA – Addressed the audience to thank Heard County for all the money raised for the Heard County pregnancy Resource Center.

**Item # 9 – Executive Session**

Chairman Boone asked for an Executive Session to discuss potential litigation and personnel issues. On a motion (Hammond) and second (Perry), the Board voted unanimously to enter executive session to discuss possible litigation at 9:56 pm. On a motion (Hammond) and second (Perry), the Board voted unanimously to return to open session at 10:23 pm. During the Executive Session possible litigation was discussed. No action was taken.

**Item # 10 – Adjourn**

There being no further business, on a motion (Harris) and second (Perry), the Board voted unanimously to adjourn the meeting.

Adjourned 10:24 p.m.

  
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County Clerk

  
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Chairman

Date 11-20-2023