



# GORDON COUNTY BOARD OF COMMISSIONERS

June 20, 2023

**The GEM Theatre**  
**Work Session - 5:00 PM**  
**Regular Session - 6:00 PM**

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**PRESENT:** Commissioners: Chair M.L. "Bud" Owens, Vice-Chair Kevin Cunningham, Chad Steward, Bruce Potts, and Kurt Sutherland; County Administrator and Attorney Jim Ledbetter, County Clerk Hollis Barton, Executive Assistant Keith King, County Attorneys Virginia Harman and Chris Jackson; Derron Brown, Ursula Richardson, Courtney Taylor, Angie Gillman, Blake Silvers, Brandi Owczarz

## **WORK SESSION**

Mr. Ledbetter gave an overview of the agenda then presented his Administrator's Report. The Commissioners then presented their reports. Chair Owens then welcomed Special Counsel Virginia Harman and Chris Jackson with McRae, Smith, Peek, Harman and Monroe, LLP and thanked them for their attendance. The Work Session closed at 5:26 pm.

## **REGULAR SESSION**

### **I. Call To Order**

Chair Owens called the meeting to order.

### **II. Invocation and Pledge of Allegiance - Vice-Chair Cunningham and Commissioner Steward**

### **III. Approval of Minutes**

**A. Adopt minutes of Work, Regular, and Executive Session of June 6, 2023 -** Commissioner Potts made a motion to approve the minutes as submitted, seconded by Vice-Chair Cunningham. The motion carried 5-0.

**IV. Approval of the Agenda -** Commissioner Sutherland made a motion to approve the agenda with the addition of Item F under Consideration of New Business. The motion was seconded by Vice-Chair Cunningham. The motion carried 5-0.

### **V. Special Recognition**

### **VI. Public Participation**

## **VII. Administrator's Report**

Mr. Ledbetter presented his report to the Commission during the Work Session.

## **VIII. Commissioner's Report**

### **A. Vice-Chair Cunningham**

No report.

### **B. Commissioner Steward**

Stated he attended the Resaca City Council meeting.

### **C. Chair Owens**

No report.

### **D. Commissioner Potts**

Stated on June 7th he surveyed various areas within the community; attended the Airport Authority meeting on June 20th and provided updates from that meeting.

### **E. Commissioner Sutherland**

No report.

## **IX. First Reading**

## **X. Public Hearing**

**Chair Owens asked Mr. Ledbetter to state the procedures for the Public Hearing. Mr. Ledbetter then gave an overview of those procedures and the allotted time for those speaking in favor and opposition. Chair Owens asked for a motion to enter into Public Hearing. Vice-Chair Cunningham made a motion to enter into Public Hearing, seconded by Commissioner Potts. The motion carried 5-0.**

**A. Application Z23-20 requesting rezoning from Agricultural (A-1) to General Commercial (C-G) located at 115 Boone Ford Rd. SE and 117 Boone Ford Rd. SE, Calhoun, GA 30701; Gordon County Tax Parcel 057A-113 and 057A-112. The Planning Commission voted 4-1 to approve as Commercial Crossroads (C-C). - Mr. Ledbetter stated the applicant withdrew their application.**

**B. Application Z23-21 requesting rezoning from Agricultural (A-1) to Residential Agricultural (RA-1) located at 3780 Hwy 41 N, Resaca, GA 30735; Gordon County Tax Parcel 039-035. The Planning Commission voted 5-0 to approve. - Mr. Ledbetter presented the item to the Commission. Seeing no one to speak in favor or opposition, Chair Owens asked for a motion. Commissioner Sutherland made a motion to approve, seconded by Commissioner Potts. The motion carried 5-0.**

- C. **Application Z23-19 requesting rezoning from Agricultural (A-1) to Light Industrial (I-1) located at 555 Miller Ferry Rd., Adairsville, GA 30103; Gordon County Tax Parcel 048-024. The Planning Commission voted 5-0 to deny.** - Mr. Ledbetter presented the item to the Commission then asked the applicant if they would like to speak.

**Darin Hardin, 230 Old Hwy 41, Adairsville:** Addressed the Commission giving an overview of the application and the specifications. Mr. Hardin presented the Commission with an additional record.

Ms. Harman asked Mr. Hardin if he would like to add the exhibits presented to the Commission to the official record of application. Mr. Hardin stated that he would, Ms. Harman stated we would need a motion to do so. Chair Owens asked for a motion to amend the record to add the document into the record of application. Commissioner Sutherland made a motion to approve, seconded by Commissioner Potts. The motion carried 5-0.

Mr. Hardin continued going over the exhibits in the document submitted, noting the specifications of the land use percentages of the emerging Mixed-Use. Mr. Hardin then responded to the Departmental Reviews and Planning Recommendations.

**SPEAKING IN OPPOSITION:**

**Sarah Prueter, 212 Leek Road, Adairsville:** Addressed the Commission with pollution concerns and the health concerns believed to be brought upon the community.

**Joseph Cowert, 390 Bowdoin Lane SW, Adairsville:** Addressed the Commission with concerns regarding the floodplain and did not feel there was any explanation from the applicant regarding it; concerns with runoff and fire safety.

**Kyle Diamond, 405 Shaw Road SW, Adairsville:** Addressed the Commission stating while he is not anti-growth, quoting the Joint Comprehensive Plan in regards to zoning and incompatible land uses being adjacent to each other as well as ULDC purpose and intents. Stated it was a high water pollution susceptibility area. Stated 3.03.06 in the ULDC for high pollution susceptibility areas, whatever is put on that property will have to address the retention ponds. Mr. Diamond then referred to the ULDC 6.02 B referencing Mixed-Use Requirements and the GDOT map stating this area was not in compliance with that definition. Mr. Diamond then referred to the impervious surface referencing Table 4.01.01 in the ULDC in addition to the area being a groundwater recharge area showing both maps from Georgia, Gordon County, and the map from the DRI. Mr. Diamond then quoted the ULDC regarding groundwater protection standards for rezoning applications listed in 3.03.06. Mr. Diamond then brought forth the concern

of the wetlands and quoted the ULDC regarding the protection of wetlands and the report from DNR. Mr. Diamond then referred to the Departmental Reports and Planning Commission. Mr. Diamond then asked the Commission to follow the ULDC and to uphold those regulations.

**Andy Bailie, 1004 White Graves Road, Ranger:** Addressed the Commission regarding the amount of jobs the applicant estimates this site would bring as well as concerns for property values decreasing due to the proposed warehouses. Stated as a licensed realtor, he did not believe that to be true. Mr. Bailie then addressed concerns regarding rail access, referencing Table 2.03.03 from the ULDC regarding land uses for Terminals for Light Industrial prohibiting a rail spur for this property. Mr. Bailie then stated without a plan for end use, how could we determine if the warehouses were in compliance with the ULDC if there was no definitive plan to submit for approval.

**David Rodriguez, 264 Leek Road SW, Adairsville:** Addressed the Commission regarding the ULDC requirements and Comprehensive Plan as well as public safety concerns. Stated Chapter 1 Section 01.06.00 of the ULDC was the official guideline. Stated this project was neither Mixed-Use or Light Industrial per the ULDC guidelines quoting Section 02.01.06(a), 04.06.02, and 04.06.01(B)(6). Referencing the departmental reports, stated it was clear this application did not align with the 2018-2028 future development map, is not compatible with the surrounding areas per ULDC 04.06.01, and does not have the minimum standards of Mixed-Use per Table 04.06.02(b) since it is comprised of 100% industrial and it is not on a major arterial road. Stated the use of railroad spurs and other industrial activity nuisance factors are only allowed at I-2 Heavy-Industrial which is not permissible in I-2 zoning. Mr. Rodriguez then addressed public safety concerns regarding fire protection and referenced the Gordon County Fire departmental review. Mr. Rodriguez then referenced the traffic study and safety concerns while construction would take place. Asked the Commission respectfully to deny this application as this project did not comply with the ULDC, nor does it align with the Joint Comprehensive Plan.

**Mark Burriss, 379 Leek Road, Adairsville:** Addressed the Commission on comments made regarding the property and rail service as well as the Mutual Aid agreement and environmental concerns. Referencing the email from the Department of Natural Resources on May 15th, stating the property and state waters were currently under investigation by the Department of Agriculture EPD and the Georgia DNR in regards to a toxin sprayed in the area. Mr. Burriss stated while Thor could change the type of road that Miller Ferry is, they could not change the fact that there was a groundwater recharge and that a detention pond cannot be built in that area or a wetland according to the ULDC, the State of Georgia, the Georgia Soil and Water

Conservation Commission, the United States Geological Service, the National Wetlands Inventory, and the US Fish and Wildlife Service.

**Brandey Jenkins, on Behalf of the City of Adairsville Council:** Stated on behalf of the city, traffic concerns as well as the property being located in predominantly residential and rural agricultural areas. Requested the item be denied based on the concerns of it being zoned agricultural and the adjacent properties being residential and allowing industrial development may be detrimental to the existing properties and the usability of the surrounding properties.

**Brian Cobb, 820 Miller Ferry Road SW, Adairsville:** Addressed the Commission regarding the application's inconsistencies with the ULDC 04.06.01, fire aid, proposed building size is not consistent with ULDC 04.06.02(b), and traffic concerns. Mr. Cobb then thanked the community and asked all those in opposition of the application to stand.

**Makenzie Combs, 367 Bowdoin Lane SW, Adairsville (185 Harper Trail) :** Addressed the Commission regarding concerns for the fire department being able to assist in the case of an emergency as well as pollution concerns.

**Kathy Trumper, 120 Mariner Circle SW, Adairsville:** Addressed the Commission regarding the area and their desire to retain the rural aspect.

**Tim Harleson, 115 River Boat Drive, Adairsville:** Addressed the Commission regarding concerns for the wildlife and the existing warehouses that are sitting empty or still in the process of being built as well as pollution concerns with light, noise, and air.

**REBUTTAL:**

**Julie Sellers, 1776 Peachtree Road, Atlanta, Attorney on behalf of Mr. Hardin:** Stated she would like to be clear on what is being proposed tonight and has heard everyone's concerns and opinions. Quoted the Gordon County, Georgia Code regarding L-1 use. Stated this was a unique property with access to rail, and they would not be seeking Terminal, but solely L-1 use. Stated while they do want the rail spur, that is not the use they are seeking, which would be appropriate in Heavy-Industrial use.

**Mr. Hardin:** Stated Thor, as well as the engineers, have put a lot of planning into this application such as wetlands consideration, environmental studies, and stated he has not been contacted by the EPD regarding this property. Mr. Ledbetter stated he believed it was in the record. Regarding the site, stated they would lower the site itself and would have 100 ft buffers; and how planted berm would eliminate the site of the building at all from the south and west borders in two (2) years, which was part of the application. Stated they deal with permeating issues every day and will adhere to any

jurisdiction and code to be in compliance. Stated the road improvements would make this area in this property safer since they will be building a road which would eliminate emergency vehicles stopping for a train. Referred to the NV5 traffic study stating the traffic would not be coming into the property from anywhere or going to the left in any way, that it will only be going towards the 41 where road improvements will be made by Thor. Stated while there may be other properties with rail access, those are not in proximity with (Interstate) 75. Stated for valuations, referred to Exhibit C in the submitted document of closings finding that the average sales price was 100.48%. Stated in Adairsville, there is a project by Thor that did not affect the list prices. For zoning, stated we are talking about a character area that is identified as Emerging Mixed-Use and stated there is nowhere that designates that each individual property is zoned for 40% residential, 40% industrial, and 40% commercial, only that it is noted for that classification area, referring to Exhibit A of the submitted document.

Stated mutual aid agreements do exist between Adairsville and the City of Calhoun; stated they are agreeable to a condition being put on the zoning that no single building will be any larger than a currently built or permitted building in Gordon County. Stated when you combine that with road improvements, you would be increasing the safety factor because that would eliminate the railroad crossing. Stated they fall within emerging Mixed-Use zoning classification, and inside of that, industrial is allowed. Stated Thor has proven itself on its project in Adairsville that they are a good neighbor and believes they have implemented multiple things to benefit the residents regarding erosion and water control. Stated Gordon County has already proven they believe residential and industrial can exist with the proper safeguards in place and the Comprehensive Plan discusses this very issue. Stated on February 28, 2021 Gordon County set a precedent that an adjacent residential development would not be a factor in rezoning the property to I-1 when they allowed the Highway 41 rezoning to be unanimously passed next to the adjacent farm at Hardwood Ridge neighborhood and should be noted that the City of Adairsville was opposed to the zoning that passed at that time.

Mr. Ledbetter stated the distinction in the rezoning Mr. Hardin was referring to was the fact that the neighbors in that case were in favor of the rezoning.

Mr. Hardin stated this property was unique, does have rail access, and is the largest contiguous form of usable land, with very little floodplain at all on this property. Stated regarding the concerning the end user, and almost everyone of these instances there was not an end user that was proposed on day one. Stated there may be additional interstate exchanges added along I-75 at some point which creates new industrial job opportunities, and certainly will be County road improvements which will increase further development both residential and commercial. Stated he believed we could

all agree that there would not be a new railroad brought into Gordon County in our lifetime, and to not utilize such existing properties would truly be a waste. Stated he believed this property and project fits the future land use for industrial use and emerging mixed use zoning and the improvements of utilities and infrastructure would benefit the entirety of Gordon County with no burden to the taxpayers. Mr. Hardin thanked the Commission for their time.

Commissioner Potts asked when CSX offered approval to the applicant. Mr. Hardin stated it was not approved, that the preliminary design location had been approved. Commissioner Potts asked what date that was. Mr. Hardin stated he did not have an exact date, but that it was Aubrey Brown at CSX. Commissioner Potts asked if it was this year. Mr. Hardin responded that it was.

Mr. Ledbetter stated that when he looked at some of the requirements for a rail spur, he asked Mr. Hardin if he had any proof tonight that this track was feasible for a rail spur based upon distances from intersections, length of spur, capacity of trains; additionally, stated when looking at the conceptual plan, the curve has a requirement of no more than 12° and it looks to be greater than that on the plan. Mr. Ledbetter asked Mr. Hardin if he knew the actual degree of the curve.

Mr. Hardin responded he did not, that those plans were produced by a rail engineer submitted through Aubrey Brown at CSX for preliminary approval and that it was looked at and approved. Mr. Ledbetter stated when speaking with CSX they stated the last communication they had on record was in September and asked Mr. Hardin if there was any documentation he had submitted in writing to CSX. Mr. Hardin stated he was not privy to that information other than what he has provided tonight.

Mr. Ledbetter asked Mr. Hardin if he was the developer or if he was going to sell to the developer. Mr. Hardin stated he was the owner of the property, Mr. Ledbetter stated he understood and asked Mr. Hardin if he was going to be developing the property and proceeding with these plans or another party. Mr. Hardin responded at this time it would be Thor.

Mr. Ledbetter asked if Mr. Hardin was under contract with Thor to purchase the property at this time. Mr. Hardin responded that he was. Mr. Ledbetter asked if that contract was contingent upon requiring them to spend 13.75 million dollars on a road, bridge, berms, and rail spur. Mr. Hardin responded that these improvements that have been suggested and discussed were from Thor, not himself. Mr. Ledbetter asked if those items were stipulations in the contract. Mr. Hardin responded they were not.

Mr. Ledbetter stated in the application it implies that the purpose of the berm is to reduce the impact of this project on the neighbors and asked Mr.

Hardin if that was correct. Mr. Hardin responded visually and acoustically as well, but the intention was to lower the site to hide the project to the neighbors, that was correct. Mr. Hardin then stated it was not a requirement or inside the Code and they have met the 100-ft barrier. Mr. Ledbetter stated he understood and that the purpose of it is to reduce vision of the property and it also refers to noise in the application and, in his opinion, this is an acknowledgement on the applicant's part of nuisance factors affecting this property, which takes it to I-2. Mr. Ledbetter then stated this was a major industrial development that required spending 13.75 million dollars, by Mr. Hardin's own admission, to get the trucks to the property. Stated these factors completely change the character of that area, and the cost to do so is significant along with building berms and rail. Mr. Ledbetter stated combining these facts with the traffic study, which shows an increase in volume of traffic limited to intersections and did not include the road, it would increase the volume of traffic by 2.2 times. Mr. Ledbetter stated that in conclusion, based upon the application and proposal, the description falls more in line with the characteristics of Heavy-Industrial in his opinion.

Ms. Sellers stated the application speaks for itself and does not believe the offers that have been made by the applicant does not change the use that is being sought by the nature of the offers. Mr. Hardin stated if the County preferred there would be no berms, they did not have to do that.

Mr. Ledbetter asked Ms. Sellers if she had found a definition of terminal in her opinion that backed up their definition and use of the word. Ms. Sellers stated she did look in the County's Code, which did not define it, and stated she believed they would need to refer to the context. Stated the definition was only in the Code once in the use chart which showed what the principle uses of the property would be which was not what they were seeking. Stated trucks would be similar and believed the Code used the language 'rail or truck' and was not the use they were asking for. Stated they were taking an existing rail line and trying to bring the appropriate zoning to the property to allow for the use of that rail line. Stated this was an asset in the County and believes the Light Industrial proposed here would be appropriate.

Mr. Ledbetter asked what the use of the rail line would be. Ms. Sellers stated that would depend on the end-user. Believes they would be constricted with the L-1 which would leave them unable to handle hazardous materials or other items prohibited by the County's Code.

Mr. Ledbetter referred to a case law from Macon-Bibb County and asked Ms. Sellers if they would be able to stipulate no flammable substances or hazardous materials, and stated that would be difficult to do without knowing the end-user. Ms. Sellers stated that would depend on the end-user and what their needs were. Mr. Ledbetter asked them to clarify that they did not in fact know what would be there. Mr. Hardin stated their goal was to



seek out an assembler or job creator. Mr. Ledbetter asked if anyone was presenting from Thor. Mr. Hardin stated there was not.

Ms. Harman asked if there was some sort of business plan that would estimate the amount of cargo that would be necessary to bring in on this new rail spur or an estimate of the number of rail cars that would be coming in and out. Ms. Harman then clarified that this was not an existing rail spur that is proposed to serve this property, that it would be a new rail spur. Mr. Hardin stated he did not, that it would be based on an end-user and something CSX would be working with as well for the rail spur. Ms. Harman then asked if Mr. Hardin knew of any estimate of the number of actual transfer trucks that would be going in and out of the facility. Mr. Hardin stated he did not.

Ms. Harman asked if there was any limitation on the number of days per week or the number of hours per day that either the rail spur or the transfer truck cargo terminals would be in use. Ms. Sellers stated they were not proposing a transfer truck terminal and until the end-user is identified, cannot say for sure. Ms. Sellers then stated she believed the owner was open to zoning conditions if the County is interested in working with them on addressing those concerns.

Ms. Harman stated she did not understand their position that a) rail spur which terminates at this facility, and involves the transfer of some sort of material off of that terminal point into an unknown facility, is not a terminal. Stated she was trying to understand their position that somehow that description does not fall within the requirement that this be, not Light Industrial, but Heavy-Industrial under the proposed use. Ms. Sellers stated that we have to rely on Georgia Law and look at what the Code says. Stated the Code does not define it, but has a Use Table, that references terminals or freight by rail or truck, is not the use they have requested in the application. Stated the use that they have requested is under the manufacturing general industry which is the permitted use under the Light Industrial. Ms. Sellers stated it seemed that there was a difference in interpretation, but that her understanding of the use chart is not addressing every means of transportation into and out of a property, which is how she would classify the rail spur not creating some sort of a focused terminal use of this property.

Ms. Harman asked about their contention that this application complies with the requirements for a Mixed-Use development because as she reads 4.06.03, any Mixed-Use plan itself has to meet the requirements of the 40-40-20 of the property in question, not all property that might be an emerging Mixed-Use area; it requires a specific plan that complies with all requirements of that particular code section. Ms. Harman asked if Ms. Sellers was contending that this complies with Mixed-Use under the

emerging use comprehensive plan, and if so, how does it do that. Ms Sellers stated yes they absolutely do contend that it is consistent with the future land use designation for this property and that it sounds like there's a difference in interpretation on what does the language mean; stated it certainly does not specify that every parcel within that district would have to contain all three of those uses. Ms. Sellers stated she believes if it said that then they would certainly not take the position they are taking.

Mr. Ledbetter stated Section 4.06.02 of the ULDC deals with minimum standards for Mixed-Use. Ms. Sellers stated they are not seeking Mixed-Use, but Light Industrial. Ms. Harman stated that Ms. Sellers was saying it complies with a comprehensive plan that would impose, at this particular point, of emerging Mixed-Use and that it complies with, and it says, that it has to be accompanied by a site plan. Ms. Sellers stated it does not say that in the future, in the comprehensive plan, that does not require that every parcel that has that district regulation be a Mixed-Use zoning district, and that is not what they were seeking. Ms. Sellers continued that if that was what the Comprehensive Plan said, she believes it would be a completely different factual situation before the Board's consideration. Stated that it says that this area is appropriate for these different uses and the Commission has heard before them tonight, when you look in that area how that breaks down.

Mr. Ledbetter stated that the Comprehensive Plan is a guidebook and is subject to the ULDC, and it describes that this area could be emerging Mixed-Use and then gives percentages; 20%, our ULDC applies those percentages to the tract in question, and not to all the area in Gordon County. Ms. Sellers stated she had not had the opportunity to check Gordon County's approvals of any zonings with that future designation that a 100% of those have been Mixed-Use that satisfy that percentage, and if that's what she was being told, that is a fact that she was not aware of and that would certainly weigh into their consideration.

Ms. Harman stated 4.06.03 of the ULDC relates to site plan requirements for development in a Mixed-Use area and states that a site plan shall accompany your application meeting all the submittal and content requirements contained in the ULDC; specific site design and overall project development standards; Land uses, classified by residential neighborhoods, commercial and office areas, civic and public areas, and vertical Mixed-Use areas, landscaping plans, design standards, all of this and your landscaping standards in a Mixed-Use development are very strict and she did not see that in the application, which is what she is trying to understand. Ms. Sellers stated they do not have an application tonight for a Mixed-Use development, the application before the Board for consideration is a Light Industrial zoning change.

Ms. Harman stated she understood that, however, it was implied by Ms. Sellers that it complies with the Comprehensive Plan; and comprehensive planning Mixed-Use development would include an application that would meet those standards. Ms. Harman stated the applicant implies they are just asking for Light Industrial and that it has nothing to do with the Comprehensive Plan, which leads her to conclude that it is not in compliance or meets what the future land use plan would be, even as that plan exists today. Ms. Sellers stated they were going to rely on future land use and Comprehensive Plan as it applies today. Stated she has read that, and that it does not include a requirement for every parcel with that future land use designation to be a Mixed-Use that includes all three of those percentages. Stated that would be so prescriptive and it is her understanding that that is not what the County has done in the past and thinks they'll rely on the Comp Plan.

Seeing no further questions, Chair Owens asked for a motion. Commissioner Steward made a motion to deny the request based on the Planning Staff recommendation Items 1 - 8, seconded by Commissioner Potts. The motion carried 5-0.

**Chair Owens asked for a motion to adjourn the Public Hearing. Commissioner Potts asked to note the ISO report from June 20th and his concern regarding it. Commissioner Potts then made a motion to adjourn the Public Hearing, seconded by Commissioner Steward. The motion carried 5-0.**

## **XI. Consideration of Unfinished Business**

## **XII. Consideration of New Business**

- A. Consideration of Resolution concerning the Prescription Opioid Litigation.** - Chair Owens presented the item to the Commission. Commissioner Steward made a motion to approve, seconded by Commissioner Potts. The motion carried 5-0.
- B. Consideration of Resolution to adopt the FY24 Budget.** - Chair Owens presented the item to the Commission. Commissioner Potts made a motion to approve, seconded by Commissioner Sutherland. Mr. Ledbetter noted the General Fund Expenditures at \$ 44,060,189; Special Revenue Fund Expenditures at \$ 9,143,314; Enterprise Fund Expenditures at \$ 2,123,095; Capital Project Fund Expenditures at \$ 13,166,176; Less Interfund Transfers at (5,578,578), for a Total Annual Budget \$ 62,914,198. The motion carried 5-0.
- C. Consideration of Resolution to adopt the 2023-2027 Joint Comprehensive Plan.** - Mr. Ledbetter stated the process to adopt the Joint Comprehensive Plan began last July in collaboration with other entities and key

stakeholders; Northwest Georgia Regional Commission assisted the County as part of the annual dues. Stated the planning phase began in August, with a Public Hearing held August 30, 2022, as well as a Stakeholder Committee meeting with both County and City stakeholders. Additionally, there were internal meetings with department heads and a community survey made available to the public that received over 1,300 responses. Once community input was received, Stakeholder meetings were held regarding the future land use development map. The process concluded with a Public Hearing held on March 30, 2023 for public comment. Commissioner Steward made a motion to approve, seconded by Vice-Chair Cunningham. The motion carried 5-0.

- D. Consideration of request from Elections and Registration to approve an amendment to the Dominion Hardware Warranty Agreement in the amount of \$4,330. This will be budgeted using GL Account # 414-522230.** - Chair Owens presented the item to the Commission. Commissioner Potts made a motion to approve, seconded by Vice-Chair Cunningham. The motion carried 5-0.
- E. Consideration to release Triple J Logging, Inc. bond in the amount of \$5,000.** - Chair Owens presented the item to the Commission. Commissioner Sutherland made a motion to approve, seconded by Commissioner Potts. The motion carried 5-0.
- E. Consideration of approval of Amended Group Coverage provided by Cigna Health and Life Insurance Company.** - Chair Owens presented the item to the Commission. Commissioner Potts made a motion to approve, seconded by Commissioner Sutherland. The motion carried 5-0.

### **XIII. Adjourn**

With no further business to come before the Commission, the meeting was adjourned by common consent.