

PLANNING COMMISSION MEETING MINUTES

7 April 2026

ATTENDEES: Members of the committee Chair Andy Edwards, Kristen Pfeiffer, Tommy Price, Malcolm Moore, (absent Tommy Pope, Brian Marks, John Haislip), Commissioners Terry Jones, Annelle Guthrie (absent Caleb Savage). County Executive Graham Stowe, Commissioners David Wamble, David Adams, Gayle Jones, several citizens

The Regional Planning Commission convened on Tuesday, April 7th in the Giles County Chancery Courtroom with Chairman Andy Edwards calling the meeting to order. Andy offered the prayer and led the pledge. The Chair then asked for a motion on the minutes if they had been read and Commissioner Terry Jones moved the minutes to be approved, Annelle Guthrie offering a second, the minutes were approved unanimously.

Public comment opened with Dustin Kittle a lawyer representing Giles County citizens concerning the proposed XRIO land purchase and development. In his comments he shares that ACTS, the parent company of XRIO, has an image on their website of the proposed development in Giles County which is divided into lots with internal roads signifying a subdivision. The company is currently taking non refundable deposits on this property. His firm has provided a letter to XRIO outlining the legal reasons why they must submit a plan to this commission. Mr. Little shared with the commission various situations in neighboring counties where developers are trying to use the 5 acre and above exemption to justify their development plans. It is Mr. Little's belief that a developer marketing land for sale and refusing to bring a plat before the commission can result in the county issuing a cease and desist order. ACTS has recently been in litigation in Florida where it has been revealed that they are not an actual real estate broker firm but a marketing firm. The lawsuit involved EXP Realty who was standing in as their broker. ACTS was stating that EXP was engaging in fraud and in turn resulting in ACTS being accused of fraud. This case was dismissed. Mr. Little was respectful in asking for a couple of more minutes to speak and upon the end of his allotted time Commissioner Terry Jones made a motion to suspend the rules of the commission and allow Mr.

Little the extra time he needed to complete his comments. Tommy Price seconded the motion with the addition of the time was to be limited. The motion passed and Mr. Little was permitted to continue. He concluded his comments with the reason for planning commission was to have rules and help with the process of productive development of a community. The commission's job is to protect the health and welfare of their community. There were no further public comments.

In agenda items the Scenic Cove plat was presented complete with the signatures that were missing from our March meeting. Mr. Brown was in attendance with the correct number of plats signed. Upon review of the plat by the commission Terry Jones made the motion to approve the plat as presented Tommy Price seconded the motion with the motion passing.

County Attorney Chris Williams presented the XRIO review. CA Williams met with Mr. Kittle and his assistant Ashley concerning the XRIO potential development project. Robert Phelps of XRIO has opposing views of this commission and Mr. Kittle concerning the presentation of a plat. Anyone with concerns was encouraged to visit with CA Williams and he had lots of good conversations. A letter has been sent to XRIO representatives that a plat is to be brought before this commission for approval. He stated that before litigation can be brought forward the property has to be purchased by ACTS/XRIO and proof of sale or transfer of property must be obtained. After the purchase the county has the right to mandate removal of any improvements if the entity is not in compliance with the commission's request of a plat. CA Williams reminded the commission that the cost of litigation can be costly and the county will need to take that into consideration. Letters are also costly (into the thousands of dollars) requiring many hours of research before being written. If the county, in the future, does decide to proceed with litigation this process needs to be a sure thing especially with evidence and proof that can withstand the court of appeals. The county commission will need to consider all costs involved. CA Williams restated that actual evidence and proof of not following subdivision requirements is a must when moving forward. He also stated not to reiterate what is already stated by law. Tommy Price asked if the letter would be a cease and desist with the reply of "no" by CA Williams. In CA Williams' opinion, once the land is transferred if XRIO moves forward without following the subdivision requirements the county has the right to move forward with legal action. Commissioner Terry Jones stated that the Notice to Developers should let XRIO know the

rules of our county. Using the notice should help to avoid litigation. CA Williams reminded the commission that currently there is no proof of anything moving forward. In the future with proof the county can send a letter or pursue litigation. A couple of members of the community stated that some lots have been surveyed as well as easements. CA Williams reminded the room that the county must watch for Constitutional rights. Chairman Edwards thanked CA Williams for his comments and time.

No Unfinished Business

Chair Mr. Edwards shared that our May 5th meeting will be held at the court house to allow public comment concerning the changes within the Subdivision Requirements.

No New Business

Tommy Price moved to adjourn the meeting Annelle Guthrie seconded the motion all were in favor, the meeting adjourned.